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GENERAL ORDERS

FROM THE

HEADQUARTERS

Department of Dakota.

1873.

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INDEX

OF

GENERAL ORDERS,

DEPARTMENT OF DAKOTA.

1873.

ST. PAUL, MINN.
ASSISTANT ADJUTANT GENERAL'S OFFICE.
1874.

[GOV'T PRINT.]

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C-2

INDEX OF NAMES.

A.

Adams, Henry....27
Adams, James....27
Adams, Robert....38
Aldred, John....74
Aldrich, Hiram....71
Anderson, James....27
Anderson, John....59
Arnhorst, Joseph....39

B.

Barnes, N. M....27
Barr, T. F....93
Beaumelburg, Paul....97
Biehl, Philipp....76
Black, G. W....48
Black, Henry....59
Blanchard, Daniel....53
Blaney, Charles....4
Booth, C. A....99
Bowen, C. E....52
Bowen, Patrick....32
Bovelie, John....66
Brochet, John....83
Brown, F. A....75
Brown, W. S....50
Buckles, T. W....40
Burnett, H. A....32
Butterfield, W. F....59

C.

Campbell, Joseph....70
Card, B. C....35, 90
Carson, John....59
Cassidy, Richard....59
Celick, Hermann....91
Chaska....19
Clark, Thomas....13
Clarke, Charles....10
Coates, H. C....76
Coffin, George....39
Cold Hand....19
Collins, John....71
Comerford, Edward....43
Conner, Andrew....59
Contonier, Frederick....73
Conway, Michael....75
Corson, S. M....66
Cox, C. C....59
Cox, Thomas....66
Cross, Frank....59
Cuthbertson, T. W....76
Cuthrie, George....59
Cutsinger, Henry....41

D.

Daley, James....67
Davis, N. H....33
Depp, James....76
Devine, John....21
Donegan, James....4
Donovan, J. H....2
Dooley, Dennis....28
Dowt, Nicholas....72
Doyle, Thomas....3
DuBarry, Beekman....90
Duggan, J. S....46

E.

Emmett, Harry....51, 70
Erfurth, Edward....73
Eyapaha, *alias* John....67

F.

Fahey, Lawrence....95
Fallon, Patrick....27
Farrell, David....97
Farrel, Martin....6
Falker, E. D....9
Fenley, Matthew....3, 101
Fitzsimmons, Hugh....27
Flanagan, John....59
Flynn, Daniel....51
Foley, John....59
Ford, William....28
Fowzer, C. F....85
Fox, J. T....4
Frankenburg, Henry....40
Fullerton, Charles....44

G.

Garretty, F. D....77
Geaney, John....92
Gewinner, George....71
Gibbs, E. B....1
Gilespie, Edward....79
Gipson, C. M....38
Glover, Erastus....42
Goldsmith, C. N....71
Goldstein, George....42
Good, Charles....91
Goodenough, A. J....16
Goose....19

Gorman, J. P. 25
Graham, T. W. 51
Grossman, F. E. 85
Gruber, Gottlieb ..... 4[illegible]

H.

Hall, Milton 73
Harbison, John 75
Harris, David 38
Harris, John 53
Harris, S. J. 42, 58
Hartman, E. O. 25
Hepakakwajidan 19, 63
Hilliard, Robert 38
Himelright, G. W. 76
Hires, Hiram 38
Hodges, G. O. 21
Hoffman, Edward 72
Hotanka, *alias* Jack 67
Howard, W. M. 71
Huck, Francis 14
Hughes, R. P. 56
Hutter, Herman 14

I.

Irgens, H. A. 6

J.

Johnston, A. H. 76
Jones, Edward 6

K.

Keegin, C. J. 75
Keenan, Michael 11
Kelly, James 1
Kelly, Patrick 79
Kelly, Richard 51
Kent, J. H. 71
Keye, Frederick 67
Kiciwakankan, *alias* Jack Small 67
Kiely, Jeremiah 47
Kilien, John 11
Kopojan 19
Koster, Herko 68
Kurtz, Martin 14

L.

Laird, James 59
Lambert, J. H. 68
Larkins, John 6
Lee, William 48
Leonard, Thomas 64
Leonhard, Edward 52
Le Rand, Eugene 70
Lonney, William 75
Lowery, James 5
Ludlow, William 8
Lumsden, S. B. 26
Lumsden, W. C. 100
Lynch, James 21

M.

Mahoney, Edward 60
Manz, Charles 14
Marschner, Hermann 73
Marsh, O. H. 46
Martin, James 25
Maxwell, William 28
McCaffrey, Francis 34
McClellan, William 29
McDonald, George 37
McGee, Patrick 13
McHugh, Philip 59
McKinney, Andrew 84
McMahon, John 3
McManus, Bernard 58
McManus, Edward ..... 6[illegible]
Meier, John 83
Miller, Charles 13
Miller, J. W. 73
Miller, William 76
Moffit, Richard 60
Moines, James 6
Monroe, Frank 64
Morton, Michael 48
Morris, Daniel 75
Morton, O. C. 64
Mulcahy, John 27
Mullen, Robert 21
Mullis, Charles 12
Murphy, Patrick 29, 101

N.

Nathan, J. W. 101
Nealy, M. H. 67
Nelson, Robert 39
Neubert, Otto 73
Norton, S. H. 65

O.

Obotina, *alias* Jim 67
O'Brien, Edward 53
O'Donnell, Peter 39
Omanisa 19
O'Neill, J. B. 3

P.

Peterson, Jens 48
Potter, C. H. 32

Q.

Quigley, James 39

R.

Ramsey, Charles 91
Randall, James 64
Ransom, H. C. 35
Reardon, J. F. 23
Remmel, W. J. 68
Rooney, E. F. 67
Rooney, James 4
Ross, Francis 70
Roubel, Frederick 58
Ryan, Edward 42
Ryan, James 97

S.

Sanders, C. J. 4
Sands, Thomas 4
Schaffer, August 48

Schlegel, Christian.....59
Schonleber, Christian.....76
Schultz, Edward.....71
Schultz, Henry.....16
Scully, Daniel.....21
Sherman, A. J.....48
Shields, William.....67
Shuttleworth, Frederick.....74
Slater, S. F.....7
Slater, W. J.....4
Smith, A. J.....46
Smith, Edward.....64
Smith, E. W.....1
Smith, F. W.....69
Smith, G. B.....21, 75
Smith, Hugh.....38
Smithson, S. J.....17
Smurr, Charles.....70
Spiers, John.....4
Stanley, J. H.....61, 70
Stevens, Arthur.....21, 45
Steward, James.....12
Stewart, Joshua.....32
Stoyell, L. B.....30
Strong, Charles.....50
Sullivan, Thomas.....26

T.

Tatavuhamanee, *alias* Washington. 67
Taylor, R. M.....82
Telford, J. G.....1, 15
Terry, A. H.....1
Thompson, John.....76
Tinazipewawakapi, *alias* Charley....67
Tydeman, James.....59

W.

Waakakahan.....19
Walsh, Michael.....13
Walsh, Walter.....69
Walsh, W. J.....68
Wapacakato.....63
Wardwell, William.....81
Watkins, Herbert.....64
Watson, Albert.....21
Whalen, Charles.....12
Wheeler, D. H.....59
White, Thomas Co. "B," 7th Cavalry.59
White, Thomas Co. "A," 20th Inf'ty..79
Whitmeyer, Robert.....44
Wieber, Jacob.....98
Williams, John.....22, 40
Williams, Joseph.....25
Wilson, Thomas.....7
Wolf, J. C.....14
Woodhouse, William.....84
Worth, Henry.....12

Y.

Young, C. J.....91

INDEX OF SUBJECTS.

A.

AIDES-DE-CAMP.

Announced.....1, 36

ANNUAL ESTIMATES.

Post Commanders to forward, of supplies for Quartermaster's Dep't..... 86

APPEAL.

Promulgates proceedings of General Court Martial in matter of, by certain enlisted men, from action of reviewing officer upon record of Regimental Court..... 66

ARMS.

Commanding officers of Companies of Infantry to make requisition for, of the Springfield breech-loading rifle musket pattern—adopted for the military service—sufficient to arm the whole company..... 49

B.

BARRACKS AND QUARTERS.

Directs Post Commanders to discharge—with certain specified exceptions—all civilian employes, employed on account of appropriation for, and to render certain reports in relation to excepted employes..... 88

BOARDS OF SURVEY.

Instructions for the guidance of..... 87

BRIDGES.

Orders in duplicate to be given by Post Quartermasters to detached parties for crossing, where toll is collected..... 20

C.

CERTIFICATES OF MERIT.

Department Commander requests, for certain Indian Scouts..... 19

CHIEF COMMISSARY OF SUBSISTENCE.

Announced..... 90
Relieved..... 90

CHIEF QUARTERMASTER.

Announced..... 35
Relieved..... 35

CIVILIAN EMPLOYES.

Directs Post Commanders to discharge—with certain specified exceptions—all, employed on account of appropriation for Barracks and Quarters, and to render certain reports respecting employes retained. 88

D.

DEPARTMENT OF DAKOTA.

Brigadier-General A. H. Terry assumes command of 1

DISSOLVED.

The General Court Martial convened at Fort Rice, D. T., by virtue of Special Orders No. 161, series of 1872, from these Headquarters..... 2
The General Court Martial convened at Fort Snelling, Minn., by virtue of Paragraph I, Special Orders No. 231, series of 1872, from these Headquarters..... 4
The General Court Martial convened at Fort Buford, D. T., by virtue of Special Orders No. 156, series of 1872, from these Headquarters..... 5
The General Court Martial convened at Fort Shaw, M. T., by virtue of Special Orders No. 175, series of 1872, from these Headquarters..... 11
The General Court Martial convened at Fort Pembina, D. T., by virtue of Paragraph II, Special Orders No. 233, series of 1872, from these Headquarters..... 14
The General Court Martial convened at Fort Ellis, M. T., by virtue of Paragraph III, Special Orders No. 220, series of 1872, from these Headquarters..... 17
The General Court Martial convened at Fort Randall, D. T., by virtue of Paragraph I, Special Orders No. 220, series of 1872, from these Headquarters..... 25
The General Court Martial convened at Fort Rice, D. T., by virtue of Paragraph III, Special Orders No. 5, current series, from these Headquarters..... 26
The General Court Martial convened at Fort Randall, D. T., by virtue of Paragraph I, Special Orders No. 47, current series, from these Headquarters..... 38
The General Court Martial convened at Fort Snelling, Minn., by virtue of Paragraph I, Special Orders No. 46, current series, from these Headquarters..... 39
The General Court Martial convened at Fort Sully, D. T., by virtue of Special Orders No. 223, of 1872, from these Headquarters..... 41
The General Court Martial convened at Fort Ellis, M. T., by virtue of Paragraph I, Special Orders No. 52, current series, from these Headquarters..... 44
The General Court Martial convened at Fort Abraham Lincoln, D. T., by virtue of Paragraph II, Special Orders No. 220, of 1872, from these Headquarters..... 46
The General Court Martial convened at Fort Abraham Lincoln, D. T., by virtue of Paragraph V, Special Orders No. 47, current series, from these Headquarters..... 47
The General Court Martial convened at Fort Pembina, D. T., by virtue of Special Orders No. 42, current series, from these Headquarters..... 56
The General Court Martial convened at Fort Buford, D. T., by virtue of Paragraph II, Special Orders No. 46, current series, from these Headquarters..... 58
The General Court Martial convened at Fort Sully, D. T., by virtue of Paragraph I, Special Orders No. 80, current series, from these Headquarters..... 59
The General Court Martial convened at Fort Rice, D. T., by virtue of Paragraph I, Special Orders No. 65, current series, from these Headquarters..... 61
The General Court Martial convened at Fort Totten, D. T., by virtue of Paragraph VII, Special Orders No. 146, current series, from these Headquarters..... 63
The General Court Martial convened at Fort Wadsworth, D. T., by virtue of Paragraph I, Special Orders No. 149, current series from these Headquarters..... 67
The General Court Martial convened at Fort Randall, D. T., by virtue of Paragraph II, Special Orders No. 137, current series, from these Headquarters..... 68

The General Court Martial convened at Fort Abraham Lincoln, D. T., by virtue of Paragraph III, Special Orders No. 159, current series, from these Headquarters 69
The General Court Martial convened at Fort Rice, D. T., by virtue of Paragraph II, Special Orders No. 146, current series, from these Headquarters 74
The General Court Martial convened at Fort Rice, D. T., by virtue of Paragraph IV, Special Orders No. 140, current series, from these Headquarters 77
The General Court Martial convened at Fort Snelling, Minn., by virtue of Paragraph I, Special Orders No. 168, current series, from these Headquarters 79
The General Court Martial convened at Fort Abercrombie, D. T., by virtue of Paragraph I, Special Orders No. 195, Paragraph II, Special Orders No. 199, Paragraphs I and II, Special Orders No. 206, and Paragraph I, Special Orders No. 210, current series, from these Headquarters 82
The General Court Martial convened at Fort Shaw, M. T., by virtue of Paragraph, IV, Special Orders No. 138, current series, from these Headquarters 84
The General Court Martial convened at Fort Ellis, M. T., by virtue of Special Orders No. 166, current series, from these Headquarters 85
The General Court Martial convened at Fort Abraham Lincoln, D. T., by virtue of Paragraph I, Special Orders No. 106, and Paragraphs IV, V and VI, Special Orders No. 118, current series from these Headquarters. 89
The General Court Martial convened at Fort Randall, D. T., by virtue of Paragraph III, Special Orders No. 228, current series, from these Headquarters 91
The General Court Martial convened at Fort Snelling, Minn., by virtue of Paragraph IV, Special Orders No. 244, current series, from these Headquarters 95
The General Court Martial convened at Fort Pembina, D. T., by virtue of Paragraph I, Special Orders No. 240, current series, from these Headquarters 97
The General Court Martial convened at Fort Shaw, M. T., by virtue of Paragraph III, Special Orders No. 200, current series, from these Headquarters 99

DISTRICT OF MINNESOTA.

Abolished: Commanding Officers of Posts heretofore included in, to report direct to Department Headquarters 80

E.

ENGINEER OFFICER.

Announced 8

ENLISTED MEN. (See Appeal.)

ESCORTS.

Publishes instructions indicating mode to be pursued in obtaining shelter, &c., for 20

ESCORTS, TRANSPORTATION, &c.

To be furnished by Post and District Commanders to Colonel N. H. Davis, Inspector General, U. S. A., on tour of inspection 33

ESTIMATES. (See Annual Estimates.)

EXPEDITIONS, SCOUTS, ESCORTS, &c.

Commanding Officers of, to forward report on, and map and "journal" of route traversed 31

F.

FERRIES.

Orders in duplicate to be given by Post Quartermasters to detached parties for crossing, for which charges are made 20

FORT ELLIS.
Military reservation of, extended..... 96
FORT ABRAHAM LINCOLN.
Military reservation of, announced..... 54
FORT TOTTEN.
Military reservation of, extended..... 57
FUNDS. (See Public Funds.)

I.

INDIAN SCOUTS.
General good conduct, &c. of, commended..... 19
INVENTORY AND INSPECTION REPORTS.
Orders in reference to, published..... 87

J.

JOURNAL. (See Expeditions, Scouts, Escorts, &c.)
JUDGE ADVOCATE.
Announced..... 93

L.

LEAVES OF ABSENCE.
Publishes letter of instructions from War Department in relation to, and calls especial attention of Post Commanders to reports on monthly post returns required in said letter..... 18

M.

MAP. (See Expeditions, Scouts, Escorts, &c.)
MEANS OF TRANSPORTATION.
Inspection of, and report in regard to, to be made by Post Commanders. 24
MILITARY RESERVATIONS.
Of Fort Ellis extended..... 96
Of Fort Abraham Lincoln announced..... 54
Of Fort Totten extended..... 57

O.

OBITUARY.
Of Brevet Captain J. G. Telford, 1st Lieutenant, 2nd Artillery, Aide-de-Camp..... 15

P.

PERSONAL STAFF.
Announced.....1, 36
PUBLIC FUNDS.
Disbursing officers to transfer one-third of the balance of, to their credit in the 1st National Bank, Saint Paul, Minn., to the Merchants National Bank—same place..... 78

Q.

QUARTERMASTER'S DEPARTMENT.
Post Commanders to forward annual estimates of supplies for 86

R.

RESERVATION, MILITARY.
Of Fort Ellis extended..... 96
Of Fort Abraham Lincoln announced..... 54
Of Fort Totten extended..... 57
RECEIVING BOARDS.
Orders in reference to, published..... 87
REGIMENTAL COURT MARTIAL. (See Appeal.)
REVOKED.
Paragraphs I and II of General Orders No. 5, current series..... 55
ROSTER.
Publishes, of troops serving in the Department..... 94

S.

SUPPLIES.
Post Commanders to forward annual estimates of, required for Quartermaster's Department..... 86

T.

TRANSPORTATION. (See Escorts, Transportation, &c.)

INDEX OF CIRCULARS.

A.

ADVERTISING. (See Newspapers.)

APPROPRIATIONS. (See Barracks and Quarters.)

Statement of indebtedness under different, of Quartermaster's Department to be sent by officers of, and doing duty in that Department, to the Chief Quartermaster at close of fiscal year. Separate statements for each year if indebtedness pertains to more than one..... 15

ARTIFICERS.

Publishes decision of Secretary of War in reference to appointment and muster of. Not entitled to extra duty pay if mustered as privates.... 4

ARTIFICERS OF INFANTRY.

Publishes decision of Secretary of War that, are entitled to extra duty pay when employed under the orders of the Quartermaster's Dep't.... 4

B.

BARRACKS AND QUARTERS. (See Division and Department Commanders.)

Publishes instructions from War Department directing suspension of all expenditures for building material and construction and repair of buildings; the discharge of all civilian employes; and the relief of all enlisted men on extra duty, paid from appropriation for..... 9

BRIDGES. (See Turnpikes, Bridges, Ferries, &c.)

C.

CHIEF QUARTERMASTERS. (See Division and Department Commanders.)

CIVILIAN EMPLOYEES. (See Barracks and Quarters.)

CLOTHING.

Publishes decision of War Department that, issued to enlisted men undergoing sentence of General Court Martial to confinement at hard labor with loss of pay and allowances, should not be charged against them..... 19

CLOTHING, CAMP AND GARRISON EQUIPAGE.

List of articles of, on hand at each post on December 31st, to be immediately after that date forwarded to Chief Quartermaster Military Division of the Missouri; articles to be arranged in the order in which they appear on Return (form No. 45,) and condition of each stated.... 21

"COLLINS' PREPARED HARNESS OIL AND LEATHER PRESERVATIVE."

Publishes Circular from Chief of Ordnance relative to use of..... 3

COMPANY COMMANDERS. (See Target Practice.)

Instructions to, in reference to perfecting retained copy of Muster and Pay Rolls..... 24

COMPANY WAGONERS.

Publishes decision of Secretary of War that, are entitled to extra duty pay when employed under the orders of the Quartermaster's Dep't.... 4

COURTS. (Martial.)

Publishes instructions, &c., for the information and government of, Jan. 3

D.

DECISION.

Publishes, of Secretary of War relative to appointment and muster of artificers and wagoners, and when entitled to extra duty pay..... 4
Publishes, of Secretary of War in reference to payment of legitimate expenses incurred in making affidavits regarding loss of Ordnance.... 5
Publishes, of Secretary of War in reference to payment of accounts for postage..... 17
Publishes, of Secretary of War that officers ordering or making purchases in violation of War Department orders will be charged amount of expenditure..... 12
Publishes, of Secretary of War regulating extra duty pay of non-commissioned officers detailed as overseers..... 22
Publishes, of War Department defining status of enlisted men serving under the orders of the Quartermaster's Dep't at station of Company.. 11
Publishes, of War Department defining status of deserters who surrender, under provisions of General Orders No. 102, current series, War Department, Adjutant General's office..... 25

DESERTERS.

Prescribes disposition to be made of, who surrender under the provisions of War Department, General Orders No. 102, current series..... 23
Publishes decision of War Department defining status of, who surrender under provisions of War Department, General Orders No. 102, c. s.... 25

DESTITUTE PERSONS.

Publishes views of Commissary General of Subsistence—approved by the Secretary of War, regarding the issue of Subsistence stores to, at frontier posts..... 20

DIVISION AND DEPARTMENT COMMANDERS.

Publishes instructions from War Department directing, to require their Chief Quartermasters to make certain reports relative to expenditures on account of appropriation for Barracks and Quarters..... 9

E.

"EIGHT HOUR LAW."

Publishes circulars from War Department in reference to payments under. 1

ENLISTED MEN.

Publishes instructions from War Department directing the relief of all, on extra duty paid from appropriations for Barracks and Quarters and Incidental Expenses..... 9
Publishes decision of War Department defining status of, serving under the orders of the Quartermaster's Department at station of company. 11
Publishes decision of War Department that clothing issued to, undergoing sentence of General Court Martial to confinement at hard labor with loss of pay and allowances should not be charged against them.. 19

EQUIPMENTS, NEW.

Report on, to be rendered by Company Commanders to the Ordnance Department promptly at end of each quarter..... 14

EXTRA DUTY PAY.

Publishes decision of Secretary of War regulating, of non-commissioned officers detailed as overseers..... 22

F.

FERRIES. (See Turnpikes, Bridges, Ferries, &c.)

FORAGE.

Announces that Secretary of War has approved recommendation of Quartermaster General to allow officers on duty at frontier posts who are not entitled to, to purchase—under certain restrictions—sufficient for one horse, at cost price including transportation..... 2

G.

GARRISON COURTS MARTIAL.

Publishes Formula for recording proceedings of, with instructions for Courts and Judge Advocates.....January 3d

GENERAL COURTS MARTIAL.

Publishes Formula for recording proceedings of, with instructions for Courts and Judge Advocates.....January 3d

I.

INCIDENTAL EXPENSES.

Publishes instructions from War Department directing the relief from extra duty of all enlisted men paid from appropriation for..... 9

INSTRUCTIONS.

Publishes, for the information and government of officers serving on Courts Martial .....January 3d

J.

JUDGE ADVOCATES.

Publishes instructions for, of Courts Martial.....January 3d

L.

LEAVES OF ABSENCE.

Announces that, will not be granted, except in extraordinary cases, until close of season of active military operations..... 7

M.

MONEYS. (See Regular Supplies.)

MUSTER AND PAY ROLLS.

Instructions in reference to perfecting retained copies of..... 24

N.

NEWSPAPERS.

Publishes list of, published within the limits of the Department, authorized for public advertising 8

Announces that the "*Duluth Minnesotian*" has been placed on the advertising list of, of the War Department 10

NON-COMMISSIONED OFFICERS.

Publishes decision of Secretary of War as to rate of extra duty pay of, detailed as overseers..... 22

O.

OFFICERS.

Publishes decision of Secretary of War that, ordering or making purchases in violation of War Department orders will be charged the amount expended..... 12

Publishes decision of Secretary of War that, cannot be reimbursed for any outlay in making affidavits regarding loss of ordnance..... 5

Sales of forage to, at frontier posts, regulated..... 2

ORDNANCE.

Publishes decision of Seretary of War in reference to payment of legitimate expenses incurred in making affidavits regarding loss of..... 5

OVERSEERS.

Publishes decision of Secretary of War as to rate of extra duty pay of non-commissioned officers detailed as..... 22

P.

PAYMASTERS.

Instructions to, in reference to perfecting retained copies of Muster and Pay Rolls..... 24

POSTAGE.

Publishes decision of Secretary of War in reference to payments of accounts for..... 17

QUARTERMASTER'S DEPARTMENT.

Publishes decision of Secretary of War that legitimate expenses incurred in making affidavits regarding loss of ordnance will be paid by; and, cannot reimburse officers for any outlay for such purposes..... 5

All officers of and doing duty in, to render to Chief Quartermaster statement of indebtedness under different appropriations at close of fiscal year. If indebtedness pertains to more than year, separate statement to be rendered for each..... 15

All officers of and doing duty in, to forward immediately after 31st of December to Chief Quartermaster Military Division of the Missouri, lists of Quartermaster's Stores and Clothing, Camp and Garrison Equipage on hand at that date..... 21

QUARTERMASTER'S STORES.

List of, on hand at each post or depot on December 31st, to be forwarded immediately after that date to the Chief Quartermaster Military Division of the Missouri. Articles to be arranged in the order in which they appear on Return (form No. 47) and condition of each to be stated. 21

R.

REGULAR SUPPLIES.

Post commanders to cause officers doing duty in Quartermaster's Department at their respective posts to transfer to Chief Quartermaster all moneys on hand pertaining to appropriation for, in current fiscal year, not required for payment of debts already contracted..... 13

"REPORT ON EQUIPMENTS."

To be rendered to Ordnance Department promptly at end of each quarter by commanding officers of companies to whom new equipments have been issued..... 14

S.

SUBSISTENCE STORES.

Publishes views of Commissary General, approved by the Secretary of War, regarding issue of, to destitute persons at frontier posts..... 20

SURVEYING INSTRUMENTS.

Post commanders to forward list of, on hand at their respective posts, stating kind, description, and condition for service..... 18

T.

TARGET PRACTICE.

Transmits blank forms furnished by Ordnance Department for reporting small arm, and directs Company Commanders to forward required reports to Ordnance Department promptly at end of each quarter..... 16

TOLLS.

Publishes instructions emanating from Quartermaster General's office relative to payment of, for passage of troops, military supplies, &c., over turnpikes, bridges, ferries, &c..... 6

TRANSFER.

Post commanders to cause officers doing duty in Quartermaster's Department at their respective posts to, to Chief Quartermaster all moneys on hand pertaining to appropriation for Regular Supplies in current fiscal year, not required for payment of debts already contracted 13

TURNPIKES, BRIDGES, FERRIES, &C.

Publishes instructions emanating from Quartermaster General's office relative to payment of charges against the Government for passage of troops, military supplies, &c., over..... 6

W.

WAGONERS.

Publishes decision of Secretary of War relative to appointment and muster of. Not entitled to extra duty pay if mustered as privates..... 4

General Orders, No. 101 is the last of the series of 1873.

Circular No. 25 is the last of the series of 1873.

HEADQUARTERS DEPARTMENT OF DAKOTA.

Saint Paul, Minn., January 2, 1873.

GENERAL ORDERS
No. 1.

By virtue of assignment by the President, the undersigned hereby assumes command of this Department. Existing orders and instructions will remain in force unless revoked or modified by competent authority. The following named officers compose the Personal Staff—they will be obeyed and respected accordingly, viz.:

Captain *E. W. Smith*, 18th Infantry,
1st Lieutenant *J. G. Telford*, 2d Artillery,
1st Lieutenant *E. B. Gibbs*, 6th Infantry,
} *Aides-de-Camp.*

The Department Staff will remain as at present constituted until further orders.

ALFRED H. TERRY,

Brigadier General, U. S. A.

OFFICIAL:

1*st Lieutenant* 6*th Infantry, Aide-de-Camp.*

G. C. M.

Captain *John H. Donovan*, 17th U. S. Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., January 3, 1873.

GENERAL ORDERS No. 2.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 161, series of 1872, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, was arraigned and tried:—

Captain *John H. Donovan*, 17th U. S. Infantry.

CHARGE I.—"Giving a challenge to fight a duel, in violation of the 25th Article of War."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

To which charges and their specifications, the accused, Captain *John H. Donovan*, 17th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, except the words 'a duel,' and of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Captain *John H. Donovan*, 17th U. S. Infantry, "*To be reduced in rank twenty files, so that his name may appear in the list of Captains of Infantry, next below Captain Charles C. Hood, 24th Infantry, as published in the Army Register of January* 1, 1872."

II...The proceedings, findings and sentence in the foregoing case of Captain *John H. Donovan*, 17th U. S. Infantry, having been forwarded for the action of the Secretary of War, have been returned with the following orders endorsed thereon, in accordance with which the sentence will be duly executed:

"WAR DEPARTMENT,
"December 10, 1872.

"Respectfully returned. The proceedings, findings and sentence in "this case are approved by the Secretary of War, but he does not deem "it advisable that such sentences should be made by courts martial, as, "in some instances, they would result in great injustice to other offi-"cers."

(Signed.) "W. W. BELKNAP,
"Secretary of War."

III...The General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 161, series of 1872, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 3, 1873.

CIRCULAR.

The following Formula for the records of proceedings of General Courts Martial and Garrison Courts, with Instructions for Courts and Judge Advocates, is published for the information and government of Officers serving in this Department:

Page 1. CASE 1.

Proceedings of a General Court Martial convened at Fort Abraham Lincoln, D. T., by virtue of the following order:

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn.,.....187...

SPECIAL ORDERS }
No. ..... }

A General Court Martial is hereby appointed to meet at Fort Abraham Lincoln, D. T., on.....the.....of..... ..... at.....o'clock, A. M., or as soon thereafter as practicable, for the trial of such persons as may be brought before it.

DETAIL FOR THE COURT.

1. Lieutenant Colonel.....U. S. Infantry,
2. Major.....U. S. Infantry,
3. Major.....U. S. Infantry,
4. Captain.....U. S. Infantry,
5. Captain.....U. S. Infantry,
6. Captain.....U. S. Cavalry,
7. Captain.....U. S. Infantry,
8. Captain.....U. S. Infantry,
9. First Lieutenant.....U. S. Infantry,

First Lieutenant.....U. S. Infantry,
Judge Advocate.

No other officers than those named can be assembled without manifest injury to the service. Should any of the officers named in the detail be unable to attend, the Court will nevertheless proceed to and continue the business before it; *provided*, the number present be not less than the minimum prescribed by law.

By Command of Brigadier-General.....:

.....,

Assistant Adjutant General.

FORT ABRAHAM LINCOLN, D. T.,

.....187...

11 o'clock, A. M.

The Court met pursuant to the foregoing order.

PRESENT.

1. Lieutenant Colonel.....U. S. Infantry,
2. Major.....U. S. Infantry,
3. Major.....U. S. Infantry,
4. Captain.....U. S. Infantry,
5. Captain.....U. S. Cavalry,
6. Captain.....U. S. Infantry,
7. Captain.....U. S. Infantry,
8. First Lieutenant.....U. S. Infantry,

First Lieutenant.....U. S. Infantry, Judge Advocate.

ABSENT.

1. Captain.....U. S. Infantry.

(*Here set forth the cause of absence of any absent member, if the same is known. It is the duty of a Judge Advocate to ascertain, if possible, the cause of absence and record it, and in cases of sickness, medical certificates must be furnished by the absent members, and appended to the record.*)

The Court then proceeded to the trial of.....,
Regiment, U. S. Infantry, who, being called before the Court, and having heard the order convening it read, was asked if he had any

objection to any member present, named in the order; to which he replied in the negative, *or*, the accused submitted the following objection to.....

(*Here insert the objection.*)

The challenged member stated that—

(*Here insert the statement of the challenged member.*)

The Court was thereupon closed, the challenged member and the accused retiring, and, after due deliberation, was re-opened, the challenged member and the accused being present, when the decision of the Court was announced by the Judge Advocate, that the objection of the accused is overruled, *or*, that the objection of the accused is sustained and

(*Here insert the challenged member's name and rank.*)

is therefore excused from serving as a member of the Court in this case.

(*Objection can only be urged to one member at a time, and a record as above must be made in each instance. If the person on trial has no objection to offer, the record will continue as follows:*)

The members of the Court were then severally duly sworn by the Judge Advocate, and the Judge Advocate was then duly sworn by the President of the Court, all of which oaths were administered in the presence of the accused.

(*For form of oaths, see* 69*th Article of War.*)

(*Should the person on trial desire to introduce counsel, he should now make application, and the record will continue as follows:*)

The accused now requested permission from the Court to introduce ....., as his counsel, which request was granted.

(*If any delay in the trial is desired, application should now be made, and in passing upon the request, the Court must be governed by Paragraphs* 886, 887, *and* 901, *Revised Army Regulations,* 1863.)

The accused was then duly arraigned upon the following charge and specification:

CHARGE:

.....

Specification: .....

To which the accused pleaded as follows:

To the Specification: "Guilty," *or*, "Not Guilty."
To the Charge: "Guilty," *or*, "Not Guilty."

Captain.....of the.....U. S. Infantry, a witness for the prosecution, being duly sworn by the Judge Advocate, testified as follows:

(*For form of oaths, see* 73*d Article of War.*)

Question, by the Judge Advocate:

Answer:

CROSS-EXAMINATION.

Question, by accused:

Answer:

(*If the person on trial declines to cross-examine the witness, it should so appear on the record. If new matter has been elicited in the cross-examination, bearing upon the issue of the trial, the Judge Advocate will re-examine the witness, should the facts require it.*)

(*After the examination-in-chief, the cross-examination and re-examination, the Court may ask such questions as are deemed necessary. A question by a member of the Court, if objected to and rejected, must be recorded as by a member. If not objected to, the record will continue as follows:*)

Question, by the Court:

Answer:

(*After all the testimony for the prosecution has been adduced, the record will continue as follows:*)

The Judge Advocate announced that the prosecution here rested.

The Court then, at 3 o'clock, P. M., adjourned to meet to-morrow at 10 o'clock, A. M.

SECOND DAY.

FORT ABRAHAM LINCOLN, D. T.,
.....187...
10 o'clock, A. M.

The Court met pursuant to adjournment.

PRESENT.

(*Here give names, rank, &c., of members present and of Judge Advocate.*)

ABSENT.

(*Name, rank, and cause of absence.*)

The accused (and his counsel) also present.

The proceedings of the.....instant, having been read and approved.

Sergeant....., of the.....U. S. Infantry, a witness for the defence, having been duly sworn, testified as follows:

Question, by the accused:

Answer:

CROSS-EXAMINATION.

Question, by Judge Advocate:

Answer:

Question, by the Court:

Answer:

The accused having no further testimony to offer, made the following statement in his defence, *or*, submitted a written statement in his defence, which was read to the Court by the accused, (or by the Judge Advocate), and is hereto annexed, marked "A."*

The Judge Advocate replied as follows:

(*Here insert the remarks of the Judge Advocate if verbal; if written, they should be read and annexed as in case of the defence*), *or*, the Judge Advocate submitted the case without remark.

The Court was then closed for deliberation, and having maturely considered the evidence adduced, finds the accused:

Of the Specification:	"Guilty," *or*, "Not Guilty."
Of the Charge:	"Guilty," *or*, "Not Guilty."

* *The statement of the accused, when in writing, or argument in his defence, and all pleas in bar of trial or abatement, should be signed by the accused himself, and appended to the record, and referred to in the proceedings as having been submitted by him, whether he is defended by counsel or not.*

And the Court does therefore sentence him..... .....
.....of.....Regiment, U. S. Infantry, to..... .....
.....
or, And the Court does therefore acquit him.....
.....of.....Regiment, U. S. Infantry.

.....

Lieutenant Colonel.....U. S. Infantry,
President.

.....

First Lieutenant.....U. S. Infantry,
Judge Advocate.

(*The following will be added to the record of the last case brought before the Court.*)

There being no further business before it, the Court adjourned *sine die.*

.....

Lieutenant Colonel.....U. S. Infantry,
President.

.....

First Lieutenant.....U. S. Infantry,
Judge Advocate.

(*A space of one page should be left at the close of each record, for the decisions and orders of the reviewing authority.*)

The proceedings should be recorded on Cap paper, each record folded in four folds, and endorsed on the first fold as follows:

FORT ABRAHAM LINCOLN, D. T.,
.....187...

Proceedings of a General Court Martial,
convened by Special Orders No...,
dated Headquarters Department of Dakota, 187...

Lieutenant Colonel A.....B.....
.....Infantry,
President.

Lieutenant C.....D.....
.....Infantry,
Judge Advocate.

CASE TRIED.

Private E..... F.....
.....Infantry.

REVISION.

FORT ABRAHAM LINCOLN, D. T.,
.....187...
10 o'clock, A. M.

The Court re-convened by virtue of the following order:

(*Here insert copy of the order.*)

PRESENT.

* * * * *

ABSENT.

* * * * *

The letter (or memorandum) containing the instructions to the Court, and the reasons of the reviewing authority for requiring a revision of the finding (or sentence, or correction of the record) was then read to the Court by the Judge Advocate and attached to the record, marked.....

The Court having carefully considered the whole of the proceedings and the reasons set forth for revision,

a. do now revoke their former findings, and find, &c., &c.,

or,

b. do now revoke their former sentence, and do sentence, &c., &c.,

or,

c. do now respectfully adhere to their former findings and sentence.

.....

Lieutenant Colonel.....U. S. Infantry,
President.

.....

First Lieutenant.....U. S. Infantry,
Judge Advocate.

GARRISON COURTS MARTIAL.

First Day.

Proceedings of a Garrison Court Martial, held at Camp Hancock, D. T., by virtue of the following order:

HEADQUARTERS CAMP HANCOCK, D. T.,

.....,187...

Special Orders }
No... }

It being impracticable to detail a field officer as a court, * a Garrison Court Martial will assemble at this Post on the.....instant, at 10 o'clock, A. M., or as soon thereafter as practicable, for the trial of such persons as may properly be brought before it.

Detail for the Court.

First Lieutenant A. B., 17th Infantry.
First Lieutenant C. D., 17th Infantry.
Second Lieutenant E. F., 17th Infantry.

By Command of .....,

(Signed) O. G.,
First Lieutenant, 17th Infantry,
Post Adjutant.

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* *See Digest, Page* 173, § 1.

CAMP HANCOCK, D. T.,

.....187...,

10 o'clock, A. M.

The Court met pursuant to the foregoing order.

PRESENT.

First Lieutenant A. B., 17th Infantry
First Lieutenant C. D., 17th Infantry.
Second Lieutenant E. F., 17th Infantry.

The Court then proceeded to the trial of Private ....., 17th Regiment, U. S. Infantry, who, being brought before the Court, and having heard the order convening it read, was asked if he had any objection to being tried by any member named therein, to which he replied in the negative. The Court, including the Recorder, was then duly sworn according to law in the presence of the prisoner.*

(*The record will then proceed in the precise manner detailed for the government of General Courts, substituting "Recorder" for "Judge Advocate."*)

The orders of the Reviewing Officer should follow immediately after the signature of the President and Recorder.

---

* *The mode of swearing a Regimental or Garrison Court, as announced in General Orders No. 49, War Department, May 18, 1871, is as follows:*

"The junior member of the court shall be its recorder, and shall administer "to the other two members the oath prescribed in the article for members, after "which the presiding officer shall administer to the recorder the following oath, "which combines with the oath of a member, the additional obligation required "of the Judge Advocate or person officiating as such:

"You, A—B—, do swear that you will well and truly try and determine, according to evidence, the matter now before you, between the United States of "America and the prisoner to be tried, and that you will duly administer justice according to the provisions of 'An act establishing rules and articles for "'the government of the armies of the United States,' without partiality, favor, "or affection; and if any doubt should arise, not explained by said articles, "according to your conscience, the best of your understanding, and the custom "of war in like cases; and you do further swear that you will not divulge the "sentence of the Court to any but the proper authority, until it shall be duly disclosed by the same; neither will you disclose or discover the vote or opinion of "any particular member of the Court Martial, unless required to give evidence "thereof, as a witness by a court of justice, in a due course of law. So help you "God."

GENERAL INSTRUCTIONS.

Charges and Specifications.

In framing charges care should be used in specifying the date and place of the offence alleged, though exactness in the proof of these particulars is very rarely indispensable. Where they are shown by the proof to be erroneous, the Court may correct them in its findings. (See Digest, Title Finding, § 29, 30, 31.) Before charges are forwarded to Department Headquarters for trial by a General Court, Post Commandants should investigate the character and force of the testimony on which they are predicated, and be assured that the alleged facts can be fully established; and also, that the offences charged are of so grave a nature that a Garrison Court cannot adjudge a sufficient penalty.

Charges should be laid under the specific article of war pertaining to the offence.

Charges cannot be legally preferred under the 99th Article of War when the offence committed is in violation of any other article.

Arraignment.

The following is the form of arraignment. The accused standing, the charge and specifications are severally read by the Judge Advocate, who then says after each: "You have heard the charge (or specifica-"tion) preferred against you. What say you to the (1st) specifica-"tion—guilty or not guilty? What say you to the charge—guilty or "not guilty?"

Pleading should be to the specifications in their order, and to the charge last.

Evidence.

The best attainable evidence should always be adduced, and should be confined to the matter at issue.

Hearsay testimony is inadmissible; as also are *opinions* of witnesses, except upon questions where witnesses are called to testify as *experts*, and the fact that they are such clearly shown. Upon the question of drunkenness, all men may be considered to be experts as to its indicia, unless shown not to be such.

Documentary evidence is only admissible when its authenticity has been established by sworn testimony, or under the seal of a court of record.

When original documents are introduced, copies of the same, certified as correct by the Judge Advocate, may be attached to the record. when the documents are of such a character that the originals cannot be retained.

When transcripts from the records of any of the Executive Departments of the Government are used, they should be certified to by the chief officer of the bureau in which the originals are filed, and the authenticity of the certification established before the Court.

The entry on the roll of a Company that a soldier has deserted, is not proof of the offence, but merely evidence that he has been charged with its commission.

Irrelevant testimony is not of necessity inadmissible testimony, and many questions which may appear irrelevant are in fact not so. Great caution should be exercised in objecting to interrogatories upon this ground. (*See in this connection General Orders No.* 32, *War Department, October* 31, 1872.)

Examination of Witnesses.

After a witness is sworn, the first interrogatory should be so framed as to elicit an answer embracing the recognition of the party on trial, including rank, company, regiment, &c. The second in such form that the answer may show that the witness has been so placed as to have knowledge of the circumstances set forth in the pleadings. The third and subsequent interrogatories to be framed so as to elicit all the facts material to the matter at issue. Care should be taken in the direct examination to prove as near as may be the averments of time and place laid down in the specifications.

Leading questions, or such as from the form of construction plainly suggest to the witness undergoing examination the answer desired by the examining party, are not admissible in an examination-in-chief.

In the trial of a case, the court should defer questioning a witness until his examination by the Judge Advocate, and the accused, has been completed. Such questions should be for the purpose of clearing doubts in the minds of members, or reconciling discrepancies.

The cross-examination should be confined to matter produced in the examination-in-chief, and not run into a general defence involving new matter. When facts are to be elicited from witnesses for the prosecution, advantageous to the accused, such witnesses can be recalled by the defence for that purpose.

Re-examination is only for the purpose of explaining any facts that may come out in the cross-examination, and should, as a general rule, be confined to this.

Witnesses may be re-called by the court at any stage in the proceedings for such examination as may be deemed necessary, in which case both parties must be present. The court may also call before it, witnesses not summoned by either the prosecution or defence. (See Digest, "Court Martial," I, 4.)

After a witness has given his evidence in full, it should be read over to him by the Judge Advocate, that he may see whether it has been recorded as he gave it, and that he may make corrections, if necessary.

Findings.

When the proof adduced sustains the pleadings in a partial form only, the court should acquit of the unproven portion in express terms.

A court cannot in its findings legally substitute the 99th Article of War for any other, when the specification and testimony sustain the particular article under which the specification is laid.

Example: An officer is charged with a violation of the 18th Article, and the court finds him *guilty* under a specification alleging that he "knowingly made a false return to the Department of War;" (describing it, with the necessary averments.)

In such a case, the court cannot legally find him guilty under the 99th Article and acquit him under the charge as laid, but must necessarily convict him under the 18th Article. It is only when the specification does not fully sustain a charge as laid, that a court may exercise its discretion by substituting the 99th for another Article of War. (See Digest of Opinions of Judge Advocate Gen., page 181, § 23.)

Sentence.

The following numbered Articles of War are mandatory as to the sentences to be adjudged for their violation: Articles 14, 15, 16, 17, 18, 22, 38, 39, 45, 55, 77 and 83. Any other than the prescribed sentence is held illegal.

The legal punishments which may be inflicted by sentence of a Court Martial will be found under paragraph 895, Revised Regulations of the Army.

Forfeiture of pay for a violation of the 45th Article of War, is now a legal punishment.

Record.

All orders which have been issued, modifying the detail of a Court after its original organization, should be included in the record of every case.

The entire proceedings of the Court in each case should be fully set forth in the record. All orders, motions, or rulings of the court itself—all motions, propositions, objections, arguments, statements, &c., of the Judge Advocate and the accused—the entire testimony of each witness, given in his own language—and, in short, every feature of the proceedings material to a complete history of the case and to a correct understanding of every point of the same by the reviewing authority—should be recorded at length.

The record of proceedings, and the written final defence of the accused, should be made upon Cap paper of uniform size.

The proceedings in each completed case should be immediately signed by the President and Judge Advocate.

Recommendations to clemency should not be placed in connection with the sentence, but should be appended to the record.

All documentary evidence submitted to the Court must be attached to the record, lettered in the order of its submission, "A," "B," &c.

The hour at which the Court meets and adjourns each day should be stated in the record, in order that it may be determined by the reviewing authority whether the court sat during legal hours.

The record should show that the accused had an opportunity offered him to cross-examine the witnesses for the prosecution.

The attention of Courts Martial is specially directed, in this connection, to the published opinions of the Judge Advocate General of the Army, under the heading of "Record."

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

1st *Lieutenant 6th Infantry, Aide-de-Camp.*

G. C. M.

1. Private *Thomas Doyle*, Company "C," 7th Infantry.
2. Private (late Sergeant) *James B. O'Neill*, Company "I," 7th Inf'y.
3. Private *Matthew Finley*, Company "F," 7th Infantry.
4. Private *John McMahon*, Company "F," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 4, 1873.

GENERAL ORDERS No. 3.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 155, series of 1872, from these Headquarters, and of which Captain RICHARD COMBA, 7th Infantry, is President, were arraigned and tried:—

1st. Private *Thomas Doyle*, Company "C," 7th Infantry.

CHARGE I.—"Violation of the 6th Article of War."

Specification.—"In this: that Private *Thomas Doyle*, Company 'C,' 7th Infantry, did behave himself in a contemptuous, insolent and disrespectful manner towards his superior and Commanding Officer, 1st Lieutenant William Quinton, 7th Infantry, saying in a defiant manner when ordered to vacate his quarters, 'I will have the order changed in twenty minutes,' or words to that effect. This at Fort Shaw, M. T., on or about the 8th day of July, 1872."

CHARGE II.—"Violation of the 9th Article of War."

Specification I.—"In this: that Private *Thomas Doyle*, 'C' Company, 7th Infantry, did strike and offer violence against his superior and Commanding Officer, 1st Lieutenant William Quinton, 7th Infantry, while said officer was in the execution of his office. This at Fort Shaw, M. T., on or about the 8th day of July, 1872"

Specification II.—"In this: that Private *Thomas Doyle*, 'C' Company, 7th Infantry, when ordered by his superior and Commanding Officer, 1st Lieutenant William Quinton, 7th Infantry, said officer being in the execution of his office, to vacate his quarters, did disobey said lawful command of his said superior and Commanding Officer, and did refuse to leave said quarters, saying in a defiant manner, 'I will have the order changed in twenty minutes,' or words to that effect. This at Fort Shaw, M. T., on or about the 8th day of July, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty," except the word "contemptuous."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Doyle*, Company "C," 7th Infantry, "*To be confined at hard labor in charge of the guard, for the period of six* (6) *months, and to forfeit to the United States eight* (8) *dollars per month of his monthly pay for the same period.*"

2d. Private (late Sergeant) *James B. O'Neill*, Company "I," 7th Infantry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Private, late Sergeant, *James B. O'Neill*, Company 'I,' 7th Infantry, did, while under the influence of intoxicating liquor, create a disturbance in the quarters of a laundress of Company 'I,' 7th Infantry, by quarreling with and beating his wife. This at Fort Buford, D. T., on or about the 20th day of March, 1872."

CHARGE II.—"Violation of the 6th Article of War."

Specification.—"In this: that he, Private, late Sergeant, *James B. O'Neill*, Company 'I,' 7th Infantry, did use insolent and insulting language to his superior and Commanding Officer, Captain Charles C. Rawn, 7th Infantry, in the words following, to-wit: 'I do not care for you, Captain Rawn; this is an outrage, &c.' This at Fort Buford, D. T., on or about the 20th day of March, 1872."

CHARGE III.—"Breach of arrest, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private, late Sergeant, *James B. O'Neill*, Company 'I,' 7th Infantry, having been ordered by

1st Sergeant William Neabuhr, Company 'I,' 7th Infantry, to proceed to his quarters in arrest, did break said arrest, and did appear in the parade ground of Fort Buford, D. T., without authority. This at Fort Buford, D. T., on or about the 20th day of March, 1872."

CHARGE IV.—"Disobedience of orders."

Specification.—"In this: that he, Private, late Sergeant, *James B. O'Neill*, Company 'I,' 7th Infantry, having been ordered by his superior and Commanding Officer, Captain Charles C. Rawn, 7th Infantry, to immediately proceed in charge of 1st Sergeant William Neabuhr, Company 'I,' 7th Infantry, to 'I' Company quarters and remain there in arrest, did disobey said order, and did go off in another direction. This at Fort Buford, D. T., on or about the 20th day of March, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE IV.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE IV.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private, late Sergeant, *James B. O'Neill*, Company "I," 7th Infantry, "*To forfeit to the United States six* (6) *dollars per month for the period of twelve months, and to be confined at hard labor in charge of the guard, for the same period.*"

3d. Private *Matthew Finley*, Company "F," 7th Infantry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that Private *Matthew Finley*, of Company 'F,' 7th Infantry, did enter the company quarters in a state of intoxication, and when he was ordered to the guard house by 1st Sergeant James Scott, of Company 'F,' 7th Infantry, did say to said Sergeant Scott, 'I wont go for you, or for any other son-of-a-bitch,' or words to that effect. This at Fort Buford, D. T., on or about the 8th day of February, 1872."

Specification II.—"In this: that Private *Matthew Finley*, of Company 'F,' 7th Infantry, did offer violence against Corporals Jeremiah Wells and William Buty, of Company 'F,' 7th Infantry, (the

said Corporals Wells and Buty being at the time in the execution of their office), by striking at and resisting them. This at Fort Buford, D. T., on or about the 8th day of February, 1872."

Specification III.—"In this: that Private *Matthew Finley*, of Company 'F,' 7th Infantry, did use threatening and abusive language to Corporal William Buty, of Company 'F,' 7th Infantry, saying: 'You son-of-a-bitch, I can lick you, you Dutch son-of-a-bitch,' repeating the words several times: this while the said Corporal Buty was in the execution of his office. This at Fort Buford, D. T., on or about the 8th day of February, 1872."

CHARGE II.—"Drunkenness on duty."

Specification.—"In this: that Private *Matthew Finley*, of Company 'F,' 7th Infantry, having been duly detailed on daily duty in the company kitchen as 'cook's police,' was during such tour of duty drunk and unable to perform his duty. This at Fort Buford, D. T., on or about the 8th day of February, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Matthew Finley*, Company "F," 7th Infantry, "*To be confined at hard labor in charge of the guard, for the period of twelve* (12) *months, and to forfeit to the United States the sum of ten* (10) *dollars per month from his monthly pay for the period of twelve* (12) *months.*"

4th. Private *John McMahon*, Company "F," 7th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In: that he, Private *John McMahon*, Company 'F,' 7th Infantry, having been regularly detailed as acting corporal of the post guard, was found drunk at the mounting of such guard. This at Fort Shaw, M. T., on or about the 7th of September, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John McMahon*, Company "F," 7th Infantry, "*To be confined at hard labor in charge of the guard, for the period of two* (2) *months.*"

II...The proceedings, findings and sentences in the foregoing cases of Private *Thomas Doyle*, Company "C," Private (late Sergeant) *James B.*

O'Neill, Company "I," and Privates *Matthew Finley* and *John McMahon*, Company "F," 7th Infantry, are approved, and the sentences will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *Thomas Sands*, Company "C," 20th Infantry.
2. Private *William J. Slater*, Company "C," 20th Infantry.
3. Private *James T. Fox*, Company "C," 20th Infantry.
4. Private *Charles J. Saunders*, Company "C," 20th Infantry.
5. Private *James Rooney*, Company "C," 20th Infantry.
6. Private *James Doneyan*, Company "C," 20th Infantry.
7. Private *John Spiers*, Company "C," 20th Infantry.
8. Private *Charles Blaney*, Regimental Band, 20th Infantry.

HEADQUARTERS DEPARTMENT OF DAKOTA.

Saint Paul, Minn., January 6, 1873.

GENERAL ORDERS No. 4.

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of Paragraph I, Special Orders No. 231, series of 1872, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried :—

1st. Private *Thomas Sands*, Company "C," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, the said *Thomas Sands*, Private, Company 'C,' 20th Infantry, a soldier duly enlisted in the service of the United States, did desert the same at Fort Totten, D. T., on or about September 7th, 1870, and did remain absent until apprehended at Philadelphia, Pa., on or about the 10th day of June, 1872. Thirty dollars ($30.00) reward paid for his apprehension."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Sands*, Company "C," 20th Infantry, "*To forfeit all pay and allowances now due, or that may become due him, to be confined at hard labor at such military prison as the Department Commander may designate, for three* (3) *years, wearing a ball and chain weighing twelve pounds, and then to be dishonorably discharged and drummed out of the service of the United States.*"

2d. Private *William J. Slater*, Company "C," 20th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *William J. Slater*, Company 'C,' 20th U. S. Infantry, did, in a state of intoxication, forcibly enter the house occupied by Treffle Augé, at the crossing of the Minnesota river, near Fort Snelling, Minn., and did without due provocation, assault and beat Emile Augé, a son of Treffle Augé aforesaid, and did call said Emile Augé a 'son-of-a-bitch.' This at the place specified, on or about the 19th day of November, 1872."

Specification II.—"In this: that he, Private *William J. Slater*, Company 'C,' 20th U. S. Infantry, did, in a threatening manner, follow one Emile Augé across the Minnesota River, addressing to him (Augé) the words, 'I'll kill you if I catch you,' or words to that effect. This near the post of Fort Snelling, Minn., on or about the 19th day of November, 1872."

Specification III.—"In this: that he, Private *William J. Slater*, Company 'C,' 20th U. S. Infantry, did in a condition of intoxication, attempt forcibly to enter the house occupied by one George Scott, near the post of Fort Snelling, Minnesota, in his (Scott's) absence, and upon being refused admittance by the wife of Scott aforesaid, did threaten to burst in, and did kick against the door of said house (Scott's), and in reply to Mrs. Scott's statement that she would report him to the Sergeant of the Guard, did use the language, 'You will report me in a hog's arse,' or words to that effect. This at the time specified, on or about the 19th day of November, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William J. Slater*, Company "C," 20th U. S. Infantry, "*To forfeit to the United States ten dollars of his monthly pay for two months, and to carry a knapsack weighing forty pounds, from Fatigue Call, A. M., to five o'clock, P. M., for ten days, in charge of the guard, allowing half an hour for each meal.*"

3d. Private *James T. Fox*, Company "C," 20th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *James T. Fox*, Company 'C,' 20th Infantry, did absent himself without permission from competent authority, from his company and post, November, 19th, 1872. This at Fort Snelling, Minn."

Specification II.—"In this: that he, Private *James T. Fox*, Company 'C,' 20th Infantry, did in company with Privates *James Donegan*, *James Rooney* and *Charles J. Saunders*, take from the Government stables, at Fort Snelling, Minn., two (2) horses, the property of Captain H. G. Thomas, 20th Infantry, and did use them without any authority whatever. This at Fort Snelling, Minn., on or about November 19th, 1872."

Specification III.—"In this: that he, the said Private *James T. Fox*, Company 'C,' 20th Infantry, did in company with Privates *James Donegan*, *James Rooney* and *Charles J. Saunders*, take from the Government stables, at Fort Snelling, Minn., one (1) sleigh, the property of the United States, valued at $65.00, and did use said sleigh without any authority whatever, and did fail to bring said sleigh back to Fort Snelling, Minn., by which act it was lost to the United States. This at Fort Snelling, Minn., on or about November 19th, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty, except the words "by which act it was lost to the United States."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James T. Fox*, Company "C," 20th Infantry, "*To forfeit to the United States ten dollars of his monthly pay per month for three months, and to carry a knapsack, weighing forty pounds, from Fatigue Call, A. M., to five o'clock, P. M., for ten days, in charge of the guard, allowing half an hour for each meal.*"

4th. Private *Charles J. Saunders*, Company "C," 20th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Charles J. Saunders*, Company 'C,' 20th Infantry, did absent himself, without permission from competent authority, from his company and post, November 19th and 20th, 1872. This at Fort Snelling, Minn."

Specification II.—"In this: that he, Private *Charles J. Saunders*, Company 'C,' 20th Infantry, did, in company with Privates *James Donegan*, *James T. Fox*, and *James Rooney*, take from the Government stables, at Fort Snelling, Minn., two (2) horses, the property of Captain H. G. Thomas, 20th Infantry, and use them without any authority whatever. This at Fort Snelling, Minn., on or about November 19, 1872."

Specification III.—"In this: that he, the said Private *Charles J. Saunders*, Company 'C,' 20th Infantry, did, in company with Privates *James Donegan*, *James T. Fox*, and *James Rooney*, take from the Government stables, at Fort Snelling, Minn., one (1) sleigh, the property of the United States, valued at $65.00, and did use said sleigh without any authority whatever, and did fail to bring said sleigh back to Fort Snelling, Minn., by which act it was lost to the United States. This at Fort Snelling, Minn., on or about November 19th, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty, except the words 'by which act it was lost to the United States.'"
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles J. Saunders*, Company "C," 20th Infantry, "*To forfeit to the United States ten dollars of his monthly pay per month for three months, and to carry a knapsack, weighing forty pounds, from Fatigue Call, A. M., until five o'clock P. M., for ten days, in charge of the guard, allowing half an hour for each meal.*"

5th. Private *James Rooney*, Company "C," 20th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *James Rooney*, Company 'C,' 20th Infantry, did absent himself, without permission from competent authority, from his company and post, November 19th, 1872. This at Fort Snelling, Minn."

Specification II.—"In this: that he, Private *James Rooney*, Company 'C,' 20th Infantry, did, in company with Privates *James Donegan*, *James T. Fox*, and *Charles J. Saunders*, take from the Government stables, at Fort Snelling, Minn., two (2) horses, the property of Captain H. G. Thomas, 20th Infantry, and did use them without any authority whatever. This at Fort Snelling, Minn., on or about November 19th, 1872."

Specification III.—"In this: that he, Private *James Rooney*, Company 'C,' 20th Infantry, did, in company with Privates *James Donegan*, *James For*, and *Charles J. Saunders*, take from the Government stables, at Fort Snelling, Minn., one (1) sleigh, the property of the United States, valued at $65.00, and did use said sleigh without any authority whatever, and did fail to bring said sleigh back to Fort Snelling, Minn., by which act it was lost to the United States. This at Fort Snelling, Minn., on or about November 19th, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty, except the words 'by which act it was lost to the United States.'"
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Rooney*, Company "C," 20th Infantry, "*To forfeit to the United States ten dollars of his pay per month for three months, and to carry a knapsack, weighing forty pounds, from Fatigue Call, A. M., until five o'clock, P. M., for ten days, in charge of the guard, allowing half an hour for each meal.*"

6th. Private *James Donegan*, Company "C," 20th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—" In this: that he, Private *James Donegan*, Company 'C,' 20th Infantry, did absent himself, without permission from competent authority, from his company and post, November 19th, 1872. This at Fort Snelling, Minn."

Specification II.—" In this: that he, Private *James Donegan*, Company 'C,' 20th Infantry, did, in company with Privates *James T. Fox*, *Charles J. Saunders*, and *James Rooney*, take from the Government stables, at Fort Snelling, Minn., two (2) horses, the property of Captain H. G. Thomas, 20th Infantry, and did use them without any authority whatever. This at Fort Snelling, Minn., on or about November 19th, 1872."

Specification III.—" In this: that he, Private *James Donegan*, Company 'C,' 20th Infantry, did, in company with Privates *James T. Fox*, *Charles J. Saunders*, and *James Rooney*, take from the Government stables, at Fort Snelling, Minn., one (1) sleigh, the property of the United States, valued at $65.00, and did use said sleigh without any authority whatever, and did fail to bring said sleigh back to Fort Snelling, Minn., by which act it was lost to the United States." This at Fort Snelling, Minn., on or about November 19th, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, " Not Guilty."
To the 2d *Specification*, " Not Guilty."
To the 3d *Specification*, " Not Guilty."
To the CHARGE, " Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, " Guilty."
Of the 2d *Specification*, " Guilty."
Of the 3d *Specification*, " Guilty," except the words " by which act it was lost to the United States."
Of the CHARGE, " Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Donegan*, Company "C," 20th Infantry, "*To forfeit to the United States ten dollars of his monthly pay per month for three months, and to carry a knapsack, weighing forty pounds, from Fatigue Call, A. M., until five o'clock, P. M., for ten days, in charge of the guard, allowing half an hour for each meal.*"

7th. Private *John Spiers*, Company "C," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *John Spiers*, Company 'C,' 20th Infantry, being a duly enlisted soldier in the service of the United States, did, on or about November 7, 1872, desert the same, and remain absent from his company and post until November 22, 1872, when brought back by the civil authorities. This at Fort Snelling, Minn."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Spiers*, Company 'C,' 20th Infantry, "*To forfeit all pay and allowances that are or may become due him; to be dishonorably discharged and drummed out of the service, and to be confined at hard labor at such military prison as the Department Commander may designate, for three years, wearing a ball and chain weighing twelve pounds.*"

8th. Private *Charles Blaney*, Regimental Band, 20th Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Charles Blaney*, Regimental Band, 20th Infantry, did feloniously take, steal and carry away from the band quarters at Fort Snelling, Minn., one government overcoat, valued at six dollars and forty-four cents ($6.44), or thereabouts, the property of Private William H. Fox, Regimental Band, 20th Infantry, and did dispose of said overcoat for the sum of four dollars, ($4.00), more or less. This at the place specified, on the 11th day of December, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Blaney*, Regimental Band, 20th Infantry, "*To forfeit all pay and allowances that are or may become due him, to be dishonorably discharged and drummed out of the service, wearing a board on his back with the word* 'THIEF' *thereon, and to be confined at hard labor for one year in such penitentiary as the Department Commander may designate.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Thomas Sands*, *William J. Slater*, *James T. Fox*, *Charles J. Saunders*, *James Rooney*, and *James Donegan*, Company "C," 20th Infantry, are approved, and the sentences will be duly executed. Fort Snelling, Minn., is designated as the place of confinement of Private *Thomas Sands*, Company "C," 20th Infantry.

The proceedings, findings and sentence in the foregoing case of Private *John Spiers*, Company "C," 20th Infantry, are approved, but upon the recommendation of all the members of the Court, the sentence is remitted. He will be released from confinement and restored to duty.

The proceedings, findings and sentence in the foregoing case of Private *Charles Blaney*, Regimental Band, 20th Infantry, are approved. So much of the sentence as relates to drumming out of the service, and wearing a board with the word "Thief" thereon, is remitted. The remainder of the sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified the sentence will be duly executed. The Minnesota State Prison, at Stillwater, Minn., is designated as the place of confinement.

III...The General Court Martial which convened at Fort Snelling, Minn., by virtue of paragraph I, Special Orders No. 231, series of 1872, from these headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

Private *James Lowery*, Company "A," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., January 8, 1873.

GENERAL ORDERS No. 5.

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of Special Orders No. 156, series of 1872, from these Headquarters, and of which Captain MONTGOMERY BRYANT, 6th Infantry, is President, was arraigned and tried :—

Private *James Lowery*, Company "A," 6th Infantry.

CHARGE.—"Violation of the 22d Article of War."

Specification.—"In: that he, *James Lowery*, having been duly enlisted as a soldier in the service of the United States, and having been assigned for service, pursuant to said enlistment, to Company 'A,' of the 6th Regiment of U. S. Infantry, did, without a regular discharge from said regiment, enlist himself (under the assumed name of James Lowe) in the 9th Regiment of U. S. Infantry. This at Omaha Barracks, on or about the 20th day of April, 1871."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Lowery*, Company "A," of the 6th U. S. Infantry, "*To be confined at hard labor at such place as the Major General Commanding the Department may direct, for one* (1) *year, and to forfeit to the United States ten* (10) *dollars of his monthly pay for twelve* (12) *months.*"

II...The proceedings, findings and sentence in the foregoing case of Private *James Lowery*, Company "A," 6th Infantry, are approved, and the sentence will be duly executed. Fort Buford, D. T., is designated as the place of confinement.

III...The General Court Martial which convened at Fort Buford, D. T., by virtue of Special Orders No. 156, series of 1872, from these Headquarters, and of which Captain MONTGOMERY BRYANT, 6th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *Martin Farrel*, Company "L," 2d Cavalry.
2. Private *James Moires*, Company "L," 2d Cavalry.
3. Private *John Larkins*, Company "A," 7th Infantry.
4. Private *Edward Jones*, Company "A," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., January 9, 1873.

GENERAL ORDERS No. 6.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph III, Special Orders No 220, series of 1872, from these Headquarters, and of which Captain D. P. HANCOCK, 7th Infantry, is President, were arraigned and tried:—

1st. Private *Martin Farrel*, Company "L," 2d Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In: that he, Private *Martin Farrel*, Company 'L,' 2d Cavalry, did absent himself from evening stables, Retreat and Tattoo roll calls, without permission from proper authority. This at or near Fort Ellis, M. T., on or about May 30th, 1872."

Specification II.—"In: that he, Private *Martin Farrel*, Company 'L,' 2d Cavalry, did become intoxicated, and while in that condition did enter the house of Mrs. King, and force the occupants, by threats or otherwise, to give him the sum of five dollars in money, more or less. This near Fort Ellis, M. T., on or about May 30th, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Martin Farrel*, Company "L," 2d Cavalry, "*To forfeit to the United States all pay and allowances now due or which may become due, excepting the just dues of the laundress, to be dishonorably discharged from the service of the United States, and to be confined in such penitentiary as the Department Commander may direct, for the period of two years.*"

2d. Private *James Moires*, Company "L," 2d Cavalry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *James Moires*, Company 'L,' 2d Cavalry, being in a state of intoxication, did endeavor to create a disturbance in the quarters of Company 'L,' 2d Cavalry, and did use offensive language, to-wit, the words: 'Kiss my arse,' to his superior non-commissioned officer, Sergeant Charles C. Drake, Company 'L,' 2d Cavalry, he, Sergeant Drake, being at the time in the proper execution of his duty. This at Fort Ellis, M. T., on the 26th day of November, 1872."

CHARGE II.—"Violation of the 9th Article of War."

Specification I.—"In this: that he, Private *James Moires*, Company 'L,' 2d Cavalry, being ordered by his superior and non-com-

missioned officer, Sergeant Charles C. Drake, Company 'L,' 2d Cavalry, to go with him to the post guard-house, did willfully disobey the said lawful command, the said Sergeant Drake being in the proper execution of his duty. This at Fort Ellis, on the 26th day of November, 1872."

Specification II.—"In this: that he, Private *James Moires*, Company 'L,' 2d Cavalry, did offer violence against his superior non-commissioned officer, Sergeant Charles C. Drake, Company 'L,' 2d Cavalry, and did strike him with intent to do him bodily injury, the said Sergeant Drake being in the proper execution of his duty. This at Fort Ellis, M. T., on the 26th day of November, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Moires*,

Company "L," 2d Cavalry, "*To be confined at hard labor in charge of the post guard, for the period of six* (6) *months, and to forfeit ten dollars per month of his monthly pay for the same period.*"

3d. Private *John Larkins*, Company "A," 7th Infantry.

CHARGE.—"Violation of the 99th Article of War."

Specification I.—"In this: that he, Private *John Larkins*, Company 'A,' 7th Infantry, was drunk and disorderly in the quarters of Company 'A,' 7th Infantry. This at or near Fort Ellis, M. T., on or about November 25th, 1872."

Specification II.—"In this: that he, Private *John Larkins*, Company 'A,' 7th Infantry, did strike Corporal Thomas Devine, Company 'A,' 7th Infantry, with a club, while he (Corporal Devine), was in the proper discharge of his duty, trying to quell a disturbance in the company quarters. This at or near Fort Ellis, M. T., on or about November 25th, 1872."

Specification III.—"In this: that he, Private *John Larkins*, Company 'A,' 7th Infantry, did assault Private James Lanagan, Company 'A,' 7th Infantry, with a deadly weapon (a bayonet), with intent to do him (Private Lanagan), serious bodily harm. This at or near Fort Ellis, M. T., on or about November 25th, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty," but attach no criminality thereto.
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Larkins*, Company "A," 7th Infantry, "*To forfeit ten* (10) *dollars of monthly pay for the period of one month.*"

4th. Private *Edward Jones*, Company "A," 7th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Edward Jones*, Company 'A,' 7th Infantry, did take, steal and carry away, with intent to appropriate the same to his own use, the following ordnance and ordnance stores, the property of the United States, and for which Captain D. P. Hancock, 7th Infantry, is responsible, viz.: two (2) Springfield breech-loading rifles, and (2) gun slings. This at or near Fort Ellis, M. T., on or about October 30th, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Jones*, Company "A," 7th Infantry, "*To be dishonorably discharged from the service with loss of all pay and allowances now due, or which may become due, excepting the just dues of the laundress, and to be confined in such penitentiary as the Commanding General may designate, for a period of three years.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Martin Farrel*, Company "L," 2d Cavalry, and *Edward Jones*,

Company "A," 7th Infantry, are approved. The sentences are modified so as to make the dishonorable discharge in each case take effect at the expiration of their respective terms of confinement. As thus modified the sentences will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of their confinement.

The proceedings, findings and sentence in the foregoing case of Private *John Larkins*, Company "A," 7th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

In the case of Private *James Moires*, Company "L," 2d Cavalry, the proceedings and findings under the first charge and its specification are approved. The proceedings and findings under the second charge and its specification are disapproved, for the reason that the term "superior officer," in the 9th Article of War, means commissioned officer only, and the offence was therefore a violation of the 99th Article of War, and should have been so charged. The sentence is approved and will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *Samuel F. Slater*, Company "C," 6th Infantry.
2. Private *Thomas Wilson*, Company "B," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., January 11, 1873.

GENERAL ORDERS No. 7.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph II, Special Orders No. 220, series of 1872, from these Headquarters, and of which Lieutenant Colonel W. P. CARLIN, 17th Infantry, is President, were arraigned and tried:

1st. Private *Samuel F. Slater*, Company "C," 6th Infantry.

CHARGE.—"Leaving his post in violation of the 46th Article of War."

Specification.—"In this: that he, Private *Samuel F. Slater*, Company 'C,' 6th Infantry, having been duly posted as a sentinel over Quartermaster's stores at the boat landing, at or about 6 o'clock, P. M., did leave his post before being regularly relieved, and did remain absent until about 9 o'clock, P. M. All this at Fort McKeen, D. T., on or about the 24th day of September, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Samuel F. Slater*, Company "C," 6th Infantry, U. S. A., "*To forfeit to the United States ten* (10) *dollars of his monthly pay per month for three months, and to be confined at hard labor in charge of a guard, for the same period.*"

2d. Private *Thomas Wilson*, Company "B," 6th Infantry.

CHARGE.—"Leaving his post, in violation of the 46th Article of War."

Specification—"In this: that Private *Thomas Wilson*, Company 'B,' 6th Infantry, having been duly posted as a sentinel, did leave said post before he was regularly relieved. This at Fort McKeen, D. T., on or about the 27th day of August, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Wilson*, Company "B," 6th Infantry, U. S. A., "*To forfeit to the United States ten* (10) *dollars of his monthly pay per month for three months, and to be confined at hard labor in charge of a guard, for the same period.*"

II...The proceedings, findings and sentence in the foregoing cases of Private *Samuel F. Slater*, Company "C," and *Thomas Wilson*, Com-

pany "B," 6th Infantry, are approved, and the sentences will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 13, 1873.

GENERAL ORDERS
No. 8.

Captain *William Ludlow*, Corps of Engineers, U. S. A., having reported at these headquarters in compliance with paragraph V, Special Orders No. 260, series of 1872, War Department, Adjutant General's Office, is hereby announced as Engineer Officer of the Department.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

G. C. M.

Private *Ezra D. Felker*, Company "B," 22d Infantry.

HEADQUARTERS DEPARTMENT OF DAKOTA.

Saint Paul, Minn., January 20, 1873.

GENERAL ORDERS No. 9.

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph I, Special Orders No. 220, series of 1872, from these Headquarters, and of which Lieutenant Colonel E. S. OTIS, 22d Infantry, is President, was arraigned and tried:

Private *Ezra D. Felker*, Company "B," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Ezra D. Felker*, Company "B," 22d Infantry, a duly enlisted soldier in the service of the United States, did desert said service on the 17th day of October, 1872, and did remain absent until apprehended and delivered to the proper authorities at Fort Randall, D. T., on the 18th day of October, 1872. This at Fort Randall, D. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words 'desert said service,' and of the excepted words 'Not Guilty,' but 'Guilty of absenting himself without leave from his company.'"

Of the CHARGE, "Not Guilty, but 'Guilty of absence without leave.'"

SENTENCE.

And the Court does therefore sentence him, Private *Ezra D. Felker*, Company "B," 22d Infantry, "*To forfeit to the United States ten dollars* ($10.00) *per month of his monthly pay for three months, and to be confined at hard labor, in charge of the guard, for the same period.*"

II...The proceedings, findings and sentence in the foregoing case of Private *Ezra D. Felker*, Company "B," 22d Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

Private *Charles Clarke*, Company "F," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., January 21, 1873.

GENERAL ORDERS No. 10.

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 223, series of 1872, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, was arraigned and tried :—

Private *Charles Clarke*, Company "F," 22d Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Charles Clarke*, Company 'F,' 22d Infantry, did surreptitiously and feloniously take and appropriate to his own use a certain lot of 'Yeast Powders,' the property of the United States, viz.: 48 cans, more or less, approximate value three dollars ($3.00) per can. All this at or near Camp 39, Yellowstone Expedition, on or about September 11th, 1872."

Specification II.—"In this: that he, Private *Charles Clarke*, Company 'F,' 22d Infantry, did have in his possession a certain lot of Yeast Powders, 48 cans, more or less, approximate value three dollars ($3.00) per can, the property of the United States, that were stolen, he knowing said Yeast Powders to be stolen goods.

All this at or near Camp 39, Yellowstone Expedition, on or about September 11th, 1872."

Specification III.—"In this: that he, Private *Charles Clarke*, Company 'F,' 22d Infantry, did take, retain and appropriate to his own use and benefit, a certain lot of Yeast Powders, 48 cans, more or less, approximate value three dollars ($3.00) per can, the property of the United States, he knowing said Yeast Powders to have been stolen. All this at or near Camp No. 39, Yellowstone Expedition, on or about September 11, 1872"

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Clarke*, Company "F," 22d Infantry, "*To forfeit to the United States all pay and allowances now due or to become due him, to be dishonorably discharged the service of the United States, and confined at hard labor in such penitentiary as the Commanding Officer of the Department shall designate, for the period of three* (3) *years.*"

II...The proceedings, findings and sentence in the foregoing case of Private *Charles Clarke*, Company "F," 22d Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take

effect at the expiration of his term of confinement. As thus modified the sentence will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of confinement.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *John Kilien*, Company "K," 7th Infantry.
2. Private *Michael Keenan*, Company "B," 7th Infantry.

HEADQUARTERS DEPARTMENT OF DAKOTA.

Saint Paul, Minn., January 22, 1873.

GENERAL ORDERS
No. 11.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 155, series of 1872, from these Headquarters, and of which Captain RICHARD COMBA, 7th Infantry, is President, were arraigned and tried :—

1st. Private *John Kilien*, Company "K," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that Private *John Kilien*, Company 'K,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert from said service at Fort Shaw, Montana Territory, on or about the 10th day of October, 1872, and did remain absent therefrom until apprehended at or near the Dearborn river, Montana Territory, or or about the 12th day of October, 1872. All this at Fort Shaw, and at or near the Dearborn river, Montana Territory, on or about the dates specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *John Kilien*, Company 'K,' 7th Infantry, did take, steal, and carry away and appropriate to his

own use, the following ordnance and ordnance stores, the property of the United States, and for which Captain J. M. J. Sanno, 7th Infantry, is responsible, viz.: one (1) Springfield breech-loading rifle musket, model of 1868, calibre .50, one (1) gun sling, and twenty (20) rounds center primed metallic cartridges, calibre .50. This at Fort Shaw, M. T., on or about the 10th day of October, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty, but 'Guilty of absence without leave.'"

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specifiction*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Kilien*, Company "K," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that become due, to be dishonorably discharged from the military service of the United States, and then to be confined at hard labor in such penitentiary as the Department Commander may designate, until July* 1*st*, 1875."

2d. Private *Michael Keenan*, Company "B," 7th Infantry.

CHARGE I.—"Violation of the 44th Article of War."

Specification.—"In: that Private *Michael Keenan*, Company 'B,' 7th Infantry, having been regularly detailed and warned for guard, did fail to parade with the guard detail of his company, and did absent himself from the place of parade without permission from proper authority, and did remain absent from three general roll calls. This at Fort Benton, M. T., on or about the 10th and 11th days of August, 1872."

CHARGE II.—"Habitual drunkenness, to the prejudice of good order and military discipline."

Specification.—"In: that Private *Michael Keenan*, Company 'B,' 7th Infantry, did become so much under the influence of liquor as to render it necessary to confine him in the guard-house on the several dates following, to wit: May 3d, 12th, and 26th; June 13th; July 4th, 7th, and 22d; and August 7th and 11th, 1872. All this at Fort Benton, Montana Territory."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty, except the words, 'July 4' and 'August 7,' but attach no criminality thereto."

Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Keenan*, Company "B," 7th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for the period of one month.*"

II...The proceedings, findings and sentence in the foregoing case of Private *John Kilien*, Company "K," 7th Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified the sentence will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of his confinement.

The proceedings, findings and sentence in the foregoing case of Private *Michael Keenan*, Company "B," 7th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 155, series of 1872, from these Headquarters, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *Charles Mullis*, Company "G," 2d Cavalry.
2. Private *James Steward*, Company "H," 2d Cavalry.
3. Private *Henry Worth*, Company "A," 7th Infantry.
4. Private *Charles Whalan*, Company "A," 7th Infantry.

HEADQUARTERS DEPARTMENT OF DAKOTA.

Saint Paul, Minn., February 7, 1873.

GENERAL ORDERS No. 12.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph III, Special Orders No. 220, series of 1872, from these Headquarters, and of which Captain D. P. HANCOCK, 7th Infantry, is President, were arraigned and tried:

1st. Private *Charles Mullis*, Company "G," 2d Cavalry.

CHARGE.—"Violation of the 99th Article of War."

Specification.—"In this: that he, Private *Charles Mullis*, Company 'G,' 2d Cavalry, did come into the company quarters under the influence of intoxicating liquor, and did cause a disturbance, and was disorderly and abusive, and did call Sergeant Oscar R. Cornwell, 'G' Company, 2d Cavalry, 'a God damned son-of-a-bitch,' at least a dozen times, and with his clenched fist did strike the said Sergeant twice; and when ordered by Sergeant Cornwell, 'G' Company, 2d Cavalry, to go with him to the guard-house, did refuse, saying: 'There was not a son-of-a-bitch of a sergeant in the company who could take him to the guard-house,' or words to that effect. All this at Fort Ellis, M. T., on or about the 11th day of December, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, excepting the words, 'and when ordered by Sergeant Cornwell, 'G' Company, 2d Cavalry, to go with him to the guard-house, did refuse,' of the excepted words, Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Mullis*, Company "G," 2d Cavalry, "*To forfeit to the United States ten* (10) *dollars per month of his monthly pay for the period of three months, and to be confined under charge of the guard, at hard labor, for the same period.*"

2d. Private *James Steward*, Company "H," 2d Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, *James Steward*, a private of Company 'H,' 2d Cavalry, while under the influence of intoxicating liquor, did go into the orderly room of Company 'H,' 2d Cavalry, in a disorderly manner, and did make use of the following words to Corporal Thomas Porter, Company "H," 2d Cavalry, he (Corporal Porter) being at the time in the execution of his duty: 'God damn you, keep away from me; I will open you like a sheep's liver, and this is what I will do it with,' exhibiting at the same time a pair of brass knuckles which he wore on his right hand. This at Fort Ellis, M. T., on or about the 25th December, 1872."

Specification II.—"In this: that he, *James Steward*, a private of Company 'H,' 2d Cavalry, was drunk and creating a disturbance amongst the men of the company, in the quarters of Company

'H,' 2d Cavalry. This at Fort Ellis, M. T., on or about the 25th December, 1872."

Specification III.—"In this: that he, *James Steward*, a private of Company 'H,' 2d Cavalry, did, after leaving his company quarters, proceed to the post guard-house, and did there use insulting and threatening language to Corporal Morris Doody, Company 'H,' 2d Cavalry, he being at the time Corporal of the Guard, and in the execution of his duties, by wanting the said Corporal Doody to fight him, and telling him he could beat or lick him, or words to that effect. All this at Fort Ellis, M. T., on the 25th day of December, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the 3d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Steward*, Company "H," 2d Cavalry, "*To be confined at hard labor, in charge of the post guard, for the period of three* (3) *months, and to forfeit ten* (10) *dollars per month of his monthly pay for the same period.*"

3d. Private *Henry Worth*, Company "A," 7th Infantry.

CHARGE I.—"Violation of the 9th Article of War."

Specification I.—"In this: that he, Private *Henry Worth*, Company 'A,' 7th Infantry, upon being met in Bozeman, M. T., by his superior officer, Captain D. P. Hancock, 7th Infantry, and upon being ordered by him (Captain Hancock) to go to the post, did refuse to obey said order, saying in a most decided manner, 'I won't do it,' or words to that effect. All this at or near Bozeman, M. T., on or about September 30, 1872."

Specification II.—"In this: that he, Private *Henry Worth*, Company 'A,' 7th Infantry, upon being met and ordered to the post by his superior officer, Captain D. P. Hancock, 7th Infantry, he (Captain Hancock) being in the execution of his office, did refuse to obey said order, and did act in a threatening manner, shaking his fist at him (Captain Hancock) and saying: 'You old pot-bellied son-of-a-bitch, I know what you want, you want to get me to the post to have me put in the guard-house; I'll get even with you, I'll catch you out and put a head on you yet,' or words to that effect, and did repeat these expressions, or expressions of a like nature, many times. All this at or near Bozeman, M. T., on or about September 30, 1872."

CHARGE II.—"Violation of the 6th Article of War."

Specification.—"In this: that he, Private *Henry Worth*, Company 'A,' 7th Infantry, did behave himself with contempt and disrespect towards the Commanding Officer of his company, Captain D. P. Hancock, 7th Infantry, riding up to his side and shaking his fist at him (Captain Hancock), saying, 'I am as good a man as you,' or words to that effect; then riding a short distance from him (Captain Hancock), 'Arrest me if you can, you old pot-bellied son-of-a-bitch,' or words to that effect. All this at or near Bozeman, M. T., on or about September 30, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Worth*, Company "A," 7th Infantry, "*To forfeit all pay and allowances now due or that may become due, excepting the just dues of the laundress; to wear attached to his left leg by a chain five feet long, a ball weighing twelve* (12) *pounds, and to be confined in the post guard-house until the expiration of his term of service, August* 16, 1874; *and then to be dishonorably discharged from the service.*"

4th. Private *Charles Whalan*, Company "A," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Charles Whalan*, Company 'A,' 7th Infantry, was drunk and disorderly in the quarters of Company 'A,' 7th Infantry. This at Fort Ellis, M. T., on or about November 25, 1872."

Specification II.—"In this: that he, Private *Charles Whalan*, Company 'A,' 7th Infantry, did strike Private James Doyle, Company 'A,' 7th Infantry, with a large club, while his (Doyle's) back was turned, and with intent to do him (Doyle) serious bodily harm. This at Fort Ellis, M. T., on or about November 25, 1872."

Specification III.—"In this: that he, Private *Charles Whalan*, Company 'A,' 7th Infantry, did attempt to strike Corporal David Kennedy, Company 'A,' 7th Infantry, while he (Corporal Kennedy) was in the proper discharge of his duty, quelling a disturbance in the company. This at Fort Ellis, M. T., on or about November 25, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Whalan*, Company "A," 7th Infantry, "*To be confined at hard labor in charge of the post guard, for the period of two* (2) *months, and to forfeit ten dollars per month of his monthly pay for the same period.*"

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Charles Mullis*, Company "G," and *James Steward*, Company

"H," 2d Cavalry, *Henry Worth* and *Charles Whalan*, Company "A," 7th Infantry, are approved, and the sentences will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Musician *Michael Walsh*, Company "F," 6th Infantry.
2. Private *Charles Miller*, Company "D," 6th Infantry.
3. Private *Thomas Clark*, Company "D," 6th Infantry.
4. Private *Patrick McGee*, Company "I," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., February 8, 1873.

GENERAL ORDERS No. 13.

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of Special Orders No. 224, series of 1872, from these Headquarters, and of which Captain MONTGOMERY BRYANT, 6th Infantry, is President, were arraigned and tried:

1st. Musician *Michael Walsh*, Company "F," 6th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Musician *Michael Walsh*, 'F' Company, 6th Infantry, being 30 minutes, more or less, late at dinner, did enter the mess-room of 'F' Company, 6th Infantry, and did then and there attempt to create a disturbance with Private Pius Hafley, 'F' Company, 6th Infantry, company cook, by using the following language: 'God damn it, I won't eat this dinner, I want some hot dinner; I'll kill the damn Dutch bastard,' or words to that effect, meaning Private Hafley."

Specification II.—"In this: that he, Musician *Michael Walsh*, 'F' Company, 6th Infantry, did, without just cause or provocation, violently assault Private Pius Hafley, 'F' Company, 6th Infantry,

company cook, and did inflict personal injury upon the said Hafley with a knife, he, said Private Hafley, being in the execution of his duty as company cook. All this at Fort Buford, D. T., on or about the 14th of September, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *Michael Walsh*, "F" Company, 6th Infantry, "*To be dishonorably discharged the service of the United States, to take effect April 1st*, 1873."

2d. Private *Charles Miller*, Company "D," 6th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *Charles Miller*, Company 'D,' 6th Infantry, did attempt to commit, upon the person of Private Michael Quinn, Company 'D,' 6th U. S. Infantry, the crime of sodomy. This at Fort Buford, D. T., on or about the 19th September, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Miller*, Company "D," 6th U. S. Infantry, "*To be dishonorably discharged the service of the United States, to take effect April 1st, 1873, and to forfeit to the United States all pay and allowances now due or to become due, the just dues of the laundress excepted.*"

3d. Private *Thomas Clark*, Company "D," 6th Infantry.

CHARGE.—"Disobedience of orders."

Specification.—"In: that Private *Thomas Clark*, of Company 'D,' 6th Infantry, having been regularly detailed for fatigue, and ordered to report under charge of Sergeant John Walsh, of Company 'E,' 6th Infantry, to 2d Lieutenant Nelson Bronson, 6th Infantry, for duty, and having been placed on duty by the said Sergeant Walsh, pursuant to instructions received from the said Lieutenant Bronson, did say to the said Sergeant Walsh: 'This is menial labor, I will not work, I will go to the guard-house first,' or words to that effect, and did without proper authority or permission, leave his work at or near 11 o'clock A. M., before the proper fatigue recall, and go to his quarters, and did not return. All this at Fort Buford, D. T., on or about the 23d day of September, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "acquit him," Private *Thomas Clark*, Company "D," 6th U. S. Infantry.

4th. Private *Patrick McGee*, Company "I," 6th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that Private *Patrick McGee*, Company 'I,' 6th Infantry, did on the morning of August 1, 1872, when the company was paraded for drill, (in compliance with general orders), brought to attention, and the command 'Right Dress' given by 1st Sergeant Charles Starr, 'I' Company, 6th Infantry, fail to obey said command, and when ordered individually and by name to dress up on the line, did fail to do so. This at Fort Buford, D. T., on or about August 1, 1872."

Specification II.—"In this: that Private *Patrick McGee*, 'I' Company, 6th Infantry, did on August 1, 1872, when his company was paraded for drill, brought to attention, and the command 'Right Dress' given by 1st Sergeant Charles Starr, 'I' Company, 6th Infantry, fail to obey said command, and when ordered the second time individually and by name to dress up on the line, reply in the following insubordinate, contemptuous tone of voice: 'I am already out too much now,' or words to that effect. This in the presence of enlisted men of 'I' Company, 6th Infantry. This at Fort Buford, D. T., on or about August 1, 1872."

Specification III.—"In this: that Private *Patrick McGee*, Company 'I,' 6th Infantry, did on August 1, 1872, while being confined by order of his Company Commander, and conducted to the guard-house by Corporal James M. Sligar, 'I' Company, 6th Infantry, and being virtually and actually a prisoner, on the approach of 1st Lieutenant Daniel H. Murdock, 6th Infantry, drop in rear of said Corporal James M. Sligar, and confront 1st Lieutenant Daniel H. Murdock, 6th Infantry, addressing him

relative to his case, breaking away from his guard and addressing an officer without permission, seeking thereby to weaken the authority of Corporal James M. Sligar, said Corporal Sligar being then and there in the lawful execution of his office. This at Fort Buford, D. T., on or about the date above specified."

Specification IV.—"In this: that Private *Patrick McGee*, 'I' Company, 6th Infantry, did conduct himself in a disorderly manner in the mess-room of 'I' Company, 6th Infantry. This at Fort Buford, D. T., on or about August 5th, 1872."

Specification V.—"In this: that Private *Patrick McGee*, 'I' Company, 6th Infantry, (having been told by Lance Corporal George H. Love, 'I' Company, 6th Infantry, who was in charge of the rations, mess-room and kitchen, that the difference in the coffee arose on account of a change of boilers), did make use of the following disrespectful and insubordinate language towards Lance Corporal George H. Love, Company 'I,' 6th Infantry, to-wit: 'If you had been attending to your duties, the coffee would not have been so,' meaning Lance Corporal George H. Love; said Lance Corporal Love being then and there in the lawful execution of his office. This in the presence of enlisted men of 'I' Company, 6th Infantry, with a view to create dissatisfaction in the company, and weaken the authority of Lance Corporal George H. Love in the performance of his duties. This at Fort Buford, D. T., on or about August 5th, 1872."

Specification VI.—"In this: that Private *Patrick McGee*, 'I' Company, 6th Infantry, did, after receiving permission from Lance Corporal George H. Love, 'I' Company, 6th Infantry, to take the coffee issued him out of the mess-room, and upon being told by Lance Corporal George H. Love that the 1st Sergeant sent him to know what he was going to do with the coffee, after taking it from the mess-room, make use of the following disrespectful and insubordinate language: 'That is my business, the coffee has been issued to me and I will do as I like with it,' Lance Corporal Love being at the time in the lawful execution of his office. This at Fort Buford, D. T., on or about August 5th, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Not Guilty."
To the 5th *Specification*, "Not Guilty."
To the 6th *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty, but attach no criminality thereto except the words, 'breaking away from his guard,' and the words, 'seeking thereby to weaken the authority of Corporal James Sligar,' and of the excepted words, Not Guilty."
Of the 4th *Specification*, "Not Guilty."
Of the 5th *Specification*, "Guilty, but attach no criminality thereto, except the words, 'disrespectful and insubordinate,' and the words, 'with a view to create dissatisfaction in the company, and weaken the authority of Lance Corporal George H. Love in the performance of his duties,' of the excepted words, Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Patrick McGee*, Company "I," 6th Infantry, "*To forfeit to the United States five* (5) *dollars of his pay for one month.*"

II...The proceedings, findings, and sentences in the foregoing cases of Musician *Michael Walsh*, Company "F," and Private *Charles Miller*, Company "D," 6th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings, and acquittal in the foregoing case of Private *Thomas Clark*, Company "D," 6th Infantry, are approved. Orders

have already been issued for his release from confinement and restoration to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Patrick McGee*, Company "I," 6th Infantry, are disapproved. Such a charge, with such specifications, should never have been made the subject of trial by a General Court. Private *McGee* will be released from arrest and restored to duty.

By Command of Brigadier General Terry.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *Francis Huck*, Company "K," 20th Infantry.
2. Private *John C. Wolf*, Company "I," 20th Infantry.
3. Private *Martin Kurtz*, Company "I," 20th Infantry.
4. Private *Charles Manz*, Company "I," 20th Infantry.
5. Private *Herman Hutter*, Company "I," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 11, 1873.

GENERAL ORDERS No. 14.

I...Before a General Court Martial which convened at Fort Pembina, D. T., by virtue of paragraph II, Special Orders No. 233, series of 1872, from these Headquarters, and of which Captain LOYD WHEATON, 20th Infantry, is President, were arraigned and tried:

1st. Private *Francis Huck*, Company "K," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Francis Huck*, Company 'K,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 17th day of July, 1872, and did remain absent until apprehended and brought back under guard, July 18th, 1872. This at Fort Pembina, D. T., on or about the dates above mentioned."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Francis Huck*, Company "K," 20th U. S. Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due, to be dishonorably discharged the service of the United States, and to be confined at hard labor, in such military prison as the Commanding General of the Department may direct, until the* 18*th day of July*, 1875."

2d. Private *John C. Wolf*, Company "I," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In: that Private *John C. Wolf*, Company 'I,' 20th Infantry, a duly enlisted soldier in the military service of the United States, did desert said service on the 27th day of February, 1872, and did remain absent until he surrendered himself at the station of his company, on the 15th day of June, 1872. All this at Fort Pembina, D. T., on or about the date above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John C. Wolf*, Company "I," 20th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due, to be dishonorably discharged the service of the United States, and to be confined at hard labor at such military prison as the Commanding General of the Department may direct, until the 15th day of July,* 1873."

3d. Private *Martin Kurtz*, Company "I," 20th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Martin Kurtz*, Company 'I,' 20th Infantry, being a member of the guard, and having been placed in charge of certain prisoners, did allow one Private John Lang, Company "K," 20th Infantry, a prisoner, to escape, thereby neglecting his duty as a sentinel. This at Fort Pembina, D. T., August 30, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Martin Kurtz*, "I" Company, 20th Infantry, "*To be confined at hard labor, in charge of the guard, where his company may be serving, for the period of three calendar months, and to forfeit to the United States his monthly pay for the period of four* (4) *months.*"

4th. Private *Charles Manz*, Company "I," 20th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Charles Manz*, Company 'I,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 17th of July, 1872, and did remain absent until arrested and brought back to the station of his company on or about the 18th day of July, 1872. All this at Fort Pembina, D. T."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Charles Manz*, Company 'I,' 20th Infantry, did feloniously take, steal and carry away, and did appropriate to his own use, one pair of boots of the value of five (5) dollars, more or less, in lawful currency of the United States, said pair of boots being the property of one Lewis Davis (a civilian). All this at Fort Pembina, D. T., on or about the 17th day of July, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Manz*, Company "I," 20th Infantry, "*To forfeit to the United States all pay and allowances now due or to become due, to be dishonorably discharged the service of the United States, and to be confined at hard labor in such penitentiary as the Commanding General may direct, for the period of two* (2) *years.*"

5th. Private *Herman Hutter*, Company "I," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Herman Hutter*, 'I' Company, 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 17th of July, 1872, and did remain absent until arrested and brought back to the station of his company, on or about the 18th day of July, 1872. All this at Fort Pembina, D. T."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Herman Hutter*, "I" Company, 20th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due, to be dishonorably discharged the service of the United States, and to be confined at hard labor at*

such military prison as the Commanding General of the Department may direct, until the 18*th day of July,* 1875."

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Francis Huck*, Company "K," *John C. Wolf* and *Herman Hutter*, Company "I," 20th Infantry, are approved. The sentences are modified so as to make the dishonorable discharge in each case take effect at the expiration of their respective terms of confinement. As thus modified the sentences will be duly executed. Fort Pembina, D. T., is designated as the place of their confinement.

In the case of Private *Martin Kurtz*, Company "I," 20th Infantry, the evidence does not seem to be sufficient to justify a finding of guilty. There is nothing whatever tending to show an *intentional* neglect of duty, and the facts which are proven are as consistent with the theory that the accused simply erred in judgment, as with the theory that he was guilty of such carelessness as amounts to criminal negligence. The proceedings are approved. The findings and sentence are disapproved. The accused will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Charles Manz*, Company "I," 20th Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified the sentence will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of confinement.

III...The General Court Martial which convened at Fort Pembina, D. T., by virtue of paragraph II, Special Orders No. 233, series of 1872, from these Headquarters, and of which Captain Loyd Wheaton, 20th Infantry, is President, is hereby dissolved.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

The death of this young officer closes the record of a career marked by generous enthusiasm and gallant service in the cause of his country. Those of his comrades who knew him best will remember with pleasure the high sense of honor and amiable disposition which were his distinguishing characteristics, not less than his personal gallantry and devotion to the military service.

In respect to his memory all officers of the staff of the Department will wear the usual badge of mourning for the period of thirty days.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 14, 1873.

GENERAL ORDERS
No. 15.

The Department Commander announces with deep regret the death, in this city on the 10th instant, of Brevet Captain JOHN GILMER TELFORD, 1st Lieutenant 2d Artillery, Aide-de-Camp.

Captain TELFORD was the grandson of the late Brigadier General JOSEPH G. TOTTEN, Chief of Engineers, U. S. Army, and was also related to several distinguished officers of the Navy. He entered the service in the early days of the war of the Rebellion, being at the time a mere youth of seventeen years, enlisting as a private soldier in an Ohio regiment. He was soon promoted to a commission and made Adjutant of his regiment and Acting Assistant Adjutant General of the brigade, in which positions he was engaged in active service in the field, until the hardships and exposure of a military life acting upon a constitution naturally delicate, caused his health to fail, and probably sowed the seeds of the disease which finally terminated his life.

During the ensuing period of partial disability Captain TELFORD was attached to the staff of Brigadier General T. W. SHERMAN, commanding in New Orleans, afterwards successively to the staff of Brigadier Generals SIBLEY and POPE, commanding in Minnesota, and of Lieutenant General W. T. SHERMAN, commanding the Military Division of the Missouri. On the 21st of March, 1866, he was appointed 2d Lieutenant of the 13th Infantry, from which regiment he was subsequently transferred to the 2d Artillery. During the last six years of his life he has served upon the personal staff of the present commander of this Department, who desires to record his grateful appreciation of Captain TELFORD'S uniformly zealous and faithful performance of all the duties devolved upon him.

G. C. M.

1. Private *A. J. Goodenough*, Company "E," 22d Infantry.
2. Private *Henry Schultz*, Company "E," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., February 15, 1873.

GENERAL ORDERS No. 16.

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 223, series of 1872, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, were arraigned and tried:

1st. Private *A. J. Goodenough*, Company "E," 22d Infantry.

CHARGE I.—"Drunkenness on duty, in violation of the 45th Article of War."

Specification.—"In this: that Private *A. J. Goodenough*, Company 'E,' 22d Infantry, did become so drunk as to be unable to perform his duties as a soldier, he being regularly detailed, and being on duty as a member of the escort to Major William Smith, Paymaster, U. S. A., en route to Fort Buford, Dakota Territory. This on board the steamer 'Western,' on or about the 14th day of July, 1872."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *A. J. Goodenough*, Company 'E,' 22d Infantry, did strike in a ruffianly manner with his fist, Sergeant Patrick Henry, Company 'E,' 22d Infantry, said Ser-

geant Henry being then in the proper discharge of his duty as a member of the said escort. This on board the steamer 'Western,' on or about July 14, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *A. J. Goodenough*, Company "E," 22d Infantry, "*To forfeit to the United States ten dollars of his monthly pay for two months, and to be confined at hard labor, in charge of the guard, for thirty days.*"

2d. Private *Henry Schultz*, Company "E," 22d Infantry.

CHARGE.—"Leaving his post, in violation of the 46th Article of War."

Specification.—"In this: that he, Private *Henry Schultz*, Company 'E,' 22d Infantry, having been regularly posted as a sentinel over the camp (of the escort to the Beef Herd) returning from Fort Rice, D. T., to Fort Sully, D. T., did desert his post and arms, and

did remain absent until found in a tent by the Commanding Officer and Sergeant of said escort. All this at a point known as Hermaphrodite Creek, D. T., on or about the 11th day of August, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "acquit him," Private *Henry Schultz*, Company "E," 22d Infantry.

II...The proceedings, findings, and sentence in the foregoing case of Private *A. J. Goodenough*, Company "E," 22d Infantry, are approved, but upon the unanimous recommendation of the members of the Court, the sentence is remitted. He will be released from confinement and restored to duty.

The proceedings, findings, and acquittal in the foregoing case of Private *Henry Schultz*, Company "E," 22d Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

Private *Sidney J. Smithson*, Company "A," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 24, 1873.

GENERAL ORDERS No. 17.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph III, Special Orders No. 220, series of 1872, from these Headquarters, and of which Captain D. P. HANCOCK, 7th Infantry, is President, was arraigned and tried:

Private *Sidney J. Smithson*, Company "A," 7th Infantry.

CHARGE—"Violation of the 99th Article of War."

Specification.—"In this: that he, Private *Sidney J. Smithson*, Company 'A,' 7th Infantry, did aid and abet Private Edward Jones, Company 'A,' 7th Infantry, in the stealing of two (2) Springfield breech-loading rifled muskets, the property of the United States, and for which Captain D. P. Hancock, 7th Infantry, is responsible, with intent to appropriate the same to their (Private Jones and *Smithson's*) mutual profit and benefit. This at or near Fort Ellis, M. T., on or about October 30, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "acquit him," Private *Sidney J. Smithson*, Company "A," 7th Infantry.

II...The proceedings, findings, and acquittal in the foregoing case of Private *Sidney J. Smithson*, Company "A," 7th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

III...The General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph III, Special Orders No. 220, series of 1872, from these headquarters, and of which Captain D. P. HANCOCK, 7th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 26, 1873.

GENERAL ORDERS
No. 18.

The following letter of instructions is republished for the information and guidance of all concerned in this Department:

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, February 13, 1873.

The Commanding General, Department of Dakota,
Thro' Headquarters Military Division of the Missouri,
Chicago, Ill.

SIR:

You are respectfully informed that the Secretary of War has decided that the custom which prevails in some of the Military Geographical Departments, of allowing a leave of absence to take effect from a date other than that on which the officer leaves his proper station, is inadmissible under the law regulating the pay of officers while on leave of absence.

Hereafter, when an officer on leave of absence remains away from his station longer than the time specified in the original leave and such extensions as may be granted by competent authority, he will be reported to the Pay Department as absent without leave.

Department Commanders are requested to issue such orders as will insure correct reports on all Post Returns of the dates of departure and return of all officers granted leave of absence, including, in all cases, leaves granted by Post Commanders.

Very respectfully, your obedient servant,

(Signed.) E D. TOWNSEND,
Adjutant General.

The Department Commander calls the especial attention of all Post Commanders to the required reports on the Monthly Post Returns.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 6, 1873.

GENERAL ORDERS }
No. 19. }

During the last five years, "Indian scouts," enlisted under the provisions of the Act of Congress, approved July 28, 1866, have been employed at many of the military posts of this Department. As a rule, they have renounced entirely their former habits and modes of life, and in assuming the uniform of the military service, they have conformed to its requirements in a manner worthy of all praise and of the emulation of their white comrades. They have performed the same duties as are imposed upon white soldiers serving on the frontier, with a prompt obedience, with a cheerful alacrity, courage, skill, and intelligence which have won the highest applause from their military superiors. The Department Commander desires that his high appreciation of their services in the past shall be made known to every scout in the command, accompanied by the assurance that their good conduct has been brought to the attention of those still higher in military rank and command, and is duly appreciated by them. To this end he directs that each and every post commander where scouts are employed, shall cause this order to be, under his personal supervision, so read and interpreted to them that all shall fully understand the degree of commendation intended.

In addition to the commendation hereinbefore expressed and intended to apply to all the scouts, the following individual instances of good conduct have attracted the Department Commander's attention, and are by him deemed worthy of special mention, viz.:

Extract from the report of Colonel D. S. Stanley, 22d Infantry, commanding the "Yellowstone Expedition," dated October 28th, 1872:

"1st Lieutenant Eben Crosby, 17th Infantry, left his camp to hunt, and when about one and a half (1½) miles from camp, was surrounded and murdered by 100 mounted Sioux. The day before this murder, this same party had discovered the five Santee scouts who had served me during the summer, and whom I had sent to Fort Rice with dispatches. The wild Sioux attacked these brave fellows at sunrise, at Heart Butte, and kept up the fight for nearly fifty miles, and during the entire day. The Santees were well armed, had 100 rounds each, and they kept their assailants off and came off themselves with the loss of two of their horses, and their blankets, clothing, and some accoutrements, which

they dropped to lighten their horses. I recommend these brave Santees to the notice of the Commander of the Department."

The names of the scouts above referred to are, Chaska, Hepakakwajidan, Kapojan, Omanisa, and Waakakahan.

Extract from report of Colonel T. L. Crittenden, 17th Infantry, commanding Fort Rice, D. T., dated November 11th, 1872:

"A Sioux Indian by the name of 'Goose,' * * * * * carried the dispatch, (to Colonel Stanley, commanding Yellowstone Expedition) and brought back an answer in eight days from his departure. It is needless to speak of the extreme peril he encountered, or to say that except through Indians no such rapid communication could have been had with Colonel Stanley.

"Attention is also asked to the conduct of 'Cold Hand,' also a Sioux scout at this post. Some time last summer, during my absence from the post, a party of Indians stole most of the horses belonging to the scouts at this post, and carried them beyond the Yellowstone. Cold Hand, accompanied by four Indians that he induced to follow him, pursued and overtook these robbers, recaptured his horses, and brought them safely back.

"Only about ten days since, Cold Hand, with three other scouts, all Sioux, left here with the mail for Grand River. On the way, they were attacked by a party about thirty strong. Cold Hand and his party repulsed these Indians, wounding one badly, and capturing two horses, which, together with the mail, they delivered safely at Grand River.

"When it is remembered that the Indians who attacked these scouts belong to the Sioux tribe, and live at Grand River, when not at war, and that the duty of the scouts requires them to go to Grand River weekly, I think the conduct of these scouts can only be regarded as very remarkable for fidelity and courage. I even think it worthy of some notice from the War Department, and I am sure that such notice would do good."

The Department Commander takes great pleasure in recommending all the above named scouts to the notice of the President of the United States, and in requesting for them the "Certificate of Merit" authorized by the 17th section of the Act of Congress, approved March 3d, 1847.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., March 10, 1873.

GENERAL ORDERS
No. 20.

The following instructions will govern in this Department, until further orders, viz.:

When escorts or public teams leave a post, orders in duplicate will be given by the Post Quartermaster to the officer or person in charge, for crossing all bridges, ferries, and toll roads, and for such amounts of fuel and forage as may be necessary and cannot be taken from the post. Orders in duplicate will also be given for sheltering men and stabling animals in extreme cold weather, when necessary. These orders will be receipted by the person in charge of the detachment, the original to be given the party furnishing the supplies or services, the duplicate to be returned to the issuing officer, who will account for the supplies and report the services, for which a regular voucher will be issued, and on payment, the original order will be taken up and attached to the voucher.

Blank forms of orders for the purposes above indicated, will be furnished by the Chief Quartermaster of the Department, as follows, viz.:

(ORIGINAL.)

OFFICE.....QUARTERMASTER,

.....187

.....

.....

Please pass over your....., ...
with the following means of transportation, on public business:

.....Two-mule teams.

.....Four-mule teams.

.....Six-mule teams.

.....Horsemen.

And send bill to this office for settlement.

.....

Quartermaster, U. S. A.

.....

.....187...

I certify on honor, that I have this day crossed the..... with means of transportation, as stated above.

.....

.....

(ORIGINAL.)

OFFICE.....QUARTERMASTER,

.....187...

M.....

.....

Please furnish.....with lodging for.....men, and stabling for..... public animals under his charge, and send bill to this office.

.....

.....

.....187...

Received lodging for.....men, and stabling for .....animals, for.....nights, at agreed

rates, as follows: Lodging, per man, per night, $..... stabling, per animal, per day and night, $.....

.....

....

(ORIGINAL)

OFFICE.....QUARTERMASTER, U. S. A.

....187...

M.....

.....

Please furnish..... .....with the following amounts of fuel and forage, and send bill to this office, stating agreed price.

.....cords.....feet.....inches wood, @ $.....per cord.

.... pounds oats, @ .....per lb.

.....pounds corn, @ ..... "

.....pounds barley, @ ..... "

.....pounds hay, @ ..... "

.....

Quartermaster, U. S. A.

....

.....187...

Received the articles specified above, at agreed prices, as stated.

.....

.....

(Memoranda.—Duplicates of each of the above similar in form, except that they are to be marked "duplicate.")

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

G. C. M.

1. Sergeant *Daniel Scully*, Company "C," 7th Infantry.
2. Private *Arthur Stevens*, Company "B," 7th Infantry.
3. Sergeant *Albert Watson*, Company "F," 7th Infantry.
4. Private *Robert Mullen*, Company "F," 7th Infantry.
5. Private *George B. Smith*, Company "H," 7th Infantry.
6. Private *George O. Hodges*, Company "G," 7th Infantry.
7. Private *John Devine*, Company "B," 7th Infantry.
8. Private *James Lynch*, Company "B," 7th Infantry.
9. Private *Arthur Stevens*, Company "B," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., March 17, 1873.

GENERAL ORDERS No. 21.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph II, Special Orders No. 231, series of 1872, from these Headquarters, and of which Captain C. C. RAWN, 7th Infantry, is President, were arraigned and tried:

1st. Sergeant *Daniel Scully*, Company "C," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In: that he, Sergeant *Daniel Scully*, of Company 'C,' 7th Infantry, did fortify his tent, or cause the same to be fortified or barricaded in such a manner as to create unnecessary alarm and apprehension in the minds of privates of his company and others, while executing their duty as soldiers. This on or

about the 21st of August, in the vicinity of hostile Indians, near the Yellowstone river, M. T., and while attached to the command known as the 'Yellowstone Expedition.'"

Specification II.—"In: that he, Sergeant *Daniel Scully*, of Company 'C,' 7th Infantry, did repeatedly, in the presence of privates of his company and others, make use of language calculated to excite their fear and apprehension in a manner detrimental to the proper discharge of their duties as soldiers. This while in the neighborhood of hostile Indians near the Yellowstone river, between the 14th day of August and the 1st day of September, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Daniel Scully*, Company "C," 7th Infantry, "*To be reduced to the rank of a private soldier.*"

2d. Private *Arthur Stevens*, Company "B," 7th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Arthur Stevens*, Company 'B,' 7th Infantry, did take and carry away, with intent to appropriate to his own use, a chicken which had just been killed for

the use of the post hospital, and which was lying near the door of the hospital kitchen. This at Fort Benton, M. T., on the 24th day of October, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence Private *Arthur Stevens*, Company "B," 7th Infantry, "*To forfeit ten dollars per month from his monthly pay for four months, and to be confined at hard labor, in charge of the guard, for the same period.*"

3d. Sergeant *Albert Watson*, Company "F," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that Sergeant *Albert Watson*, Company 'F,' 7th Infantry, having been regularly detailed as sergeant of the post guard, was found so much under the influence of liquor as to be unable to properly perform his duties. This at Fort Shaw, M. T., on or about the 21st day of October, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Sergeant *Albert Watson*, Company "F," 7th Infantry.

4th. Private *Robert Mullen*, Company "F," 7th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this: that he, *Robert Mullen*, a private of Company 'F,' 7th Infantry, having been placed on duty as a sentinel over a party of prisoners, with orders to proceed with said prisoners to the corral and procure a cart, and then to proceed to the landing, and employ said prisoners in hauling stone from the landing to the new building, did neglect to comply with said orders, but did take his party of prisoners in another direction. This at Fort Shaw, M. T., on or about the 25th of October, 1872."

CHARGE II.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that he, *Robert Mullen*, a private of Company 'F,' 7th Infantry, having been placed on duty as a sentinel over a party of prisoners, did suffer two of said prisoners, viz.: Privates John Byrnes, Company 'K,' and William Sheckell, Company 'C,' 7th Infantry, to escape. This at Fort Shaw, M. T., on or about the 25th day of October, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Robert Mullen*, Company "F," 7th Infantry.

5th. Private *George B. Smith*, Company "H," 7th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In: that he, Private *George B. Smith*, Company 'H,' 7th Infantry, was drunk at 'stable call' of his company, on the evening of the 20th of October, 1872. This at Camp Baker, M. T., on or about the 20th day of October, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *George B. Smith*, Company "H," 7th Infantry.

6th. Private *George O. Hodges*, Company "G," 7th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Private *George O. Hodges*, Company 'G,' 7th Infantry, being on duty as a sentinel over a party of prisoners, did suffer two of said prisoners, viz.: Private James W. Mason, Company 'F,' and Private John Thompson, Company 'B,' 7th Infantry, to escape. This at Fort Shaw, M. T., on or about the 25th day of October, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *George O. Hodges*, Company "G," 7th Infantry.

7th. Private *John Devine*, Company "B," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that he, Private *John Devine*, Company 'B,' 7th Infantry, having been ordered repeatedly by Sergeant Robert A. Miller, Company 'B,' 7th Infantry, in the discharge of his duty, to come out of a corner in the company quarters, (where he had been permitted to come as a prisoner to get his blanket), did neglect to obey the order, and did further, when the said Sergeant Robert A. Miller attempted to draw him from the place, resist by seizing the said Sergeant Robert A. Miller by the

throat. This at Fort Buford, D. T., on the 25th day of October, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Devine*, Company "B," 7th Infantry, "*To forfeit to the United States five dollars of his monthly pay, and to be confined at hard labor, in charge of the guard, for the period of one month.*"

8th. Private *James Lynch*, Company "B," 7th Infantry.

CHARGE I.—"Violation of the 9th Article of War."

Specification.—"In: that he, Private *James Lynch*, Company 'B,' 7th Infantry, having been corrected by his superior officer, 1st Lieutenant James H. Bradley, 7th Infantry, being in the execution of his office, for a fault committed by him at drill, began to make a reply to the said 1st Lieutenant James H. Bradley, and did persist in replying after having been repeatedly ordered by the said 1st Lieutenant James H. Bradley, to be silent. This at Fort Benton, M. T., on the 5th day of November, 1872."

CHARGE II.—"Drunkenness on duty."

Specification.—"In: that he, Private *James Lynch*, Company 'B,' 7th Infantry, did appear at drill in such a state of intoxication as to be unable to drill properly. This at Fort Benton, M. T., on or about the 5th day of November, 1872."

CHARGE III.—"Absence without leave, in violation of the 21st Article of War."

Specification.—"In: that he, Private *James Lynch,* Company 'B,' 7th Infantry, did, without proper authority, absent himself from his company and post, from about 5:30 P. M., on the 5th of November, 1872, and did remain absent till about 8 A. M., on the 6th of November, 1872. This at Fort Benton, M. T., on or about the dates specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification,* "Guilty," but attach no criminality thereto.
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification,* "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE III.

Of the *Specification,* "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Lynch*, Company "B," 7th Infantry, "*To forfeit to the United States five dollars of his monthly pay. The Court is thus lenient for the reason that the accused absented himself from an arbitrary and degrading punishment.*"

9th. Private *Arthur Stevens*, Company "B," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Arthur Stevens*, Company 'B,' 7th Infantry, being a prisoner in charge of the guard, awaiting sentence, did desert the service of the United States, by escaping from confinement on the 16th day of November, 1872, and did remain absent till apprehended at '28 mile Ranche,' on the morning of the 18th of November, 1872. All this at or near Fort Benton, M. T., on or about the dates specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Arthur Stevens*, Company "B," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, except the just dues of the laundress, to be confined at hard labor, in charge of the guard, at the post where his company may be serving, until January 1st, 1875, and then to be dishonorably discharged from the United States military service.*"

II...The proceedings, findings, and sentences in the foregoing cases of Sergeant *Daniel Scully*, Company "C," and *James Lynch*, Company

"B," 7th Infantry, are approved, and the sentences will be duly executed. They will be released from arrest or confinement and restored to duty.

The proceedings, findings, and acquittals in the foregoing cases of Sergeant *Albert Watson* and Private *Robert Mullen*, Company "F," Privates *George B. Smith*, Company "H," and *George O. Hodges*, Company "G," 7th Infantry, are approved. Orders have already been issued for their release from confinement and restoration to duty.

The proceedings, findings, and sentences in the foregoing cases of Privates *Arthur Stevens*, (twice tried), and *John Devine*, Company "B," 7th Infantry, are approved, and their respective sentences will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

Private (late Corporal) *John Williams*, Company "F," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., March 18, 1873.

GENERAL ORDERS No. 22.

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 223, series of 1872, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, was arraigned and tried:

Private (late Corporal) *John Williams*, Company "F," 22d Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Private (late Corporal) *John Williams* Company 'F,' 22d Infantry, did leave his squad-room and maliciously and willfully enter the squad-room of Corporal William Durfee, Company 'F,' 22d Infantry, and then and there, with malice aforethought, create a disturbance by knocking down and kicking the said Corporal Durfee for the faithful discharge of his duty, in arresting and confining Musician James Rand, Company 'F,' 22d Infantry. This at Fort Sully, D. T., on or about the afternoon and evening of November 29, 1872."

Specification II.—"In: that he, the said Private (late Corporal) *John Williams*, Company 'F,' 22d Infantry, having been arrested by 1st Sergeant William Schott, Company 'F,' 22d Infantry, by order of Captain A. H. Goodloe, 22d Infantry, did strike the

said 1st Sergeant Schott, while in the execution of his office, and did say to him, 'neither you nor the Captain can arrest me,' and did run away and remain absent till arrested on the evening of November 30, 1872. This at Fort Sully, D. T., on or about the afternoon and evening of November 29, 1873."

Specification III.—"In: that he, the said Private (late Corporal) *John Williams*, Company 'F,' 22d Infantry, did, with malice aforethought, without cause or provocation, enter the squad-room of Corporal William Durfee, Company 'F,' 22d Infantry, and then and there, jerk down, stamp in the face, and otherwise bodily bruise the said Corporal Durfee, to the injury and jeopardy of his, the said Durfee's life. This at Fort Sully, D. T., on or about the afternoon and evening of November 29, 1872."

Specification IV.—"In: that he, the said Private (late Corporal) *John Williams*, Company 'F,' 22d Infantry, did, with malice aforethought, without cause or provocation, enter the squad-room of Corporal William Durfee, Company 'F,' 22d Infantry, and then and there kick in, cut and horribly mangle the face of the said Corporal Durfee, with the heel of his, the said *Williams'* boot or shoe. All this at Eort Sully, D. T., on or about the afternoon and evening of November 29, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty, except the words, 'leave his squad-room and maliciously and willfully,' 'with malice aforethought,' 'for the faithful discharge of his duty in arresting and confining Musician

James Rand, Company 'F,' 22d Infantry,' of the excepted words, Not Guilty."

Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Guilty, except the words, 'with malice aforethought,' 'jerk down, stamp in the face,' 'otherwise,' 'to the injury and jeopardy of his, the said Durfee's life,' of the excepted words, Not Guilty."

Of the 4th *Specification*, "Guilty, except the words, 'with malice aforethought,' 'kick in,' and 'horribly mangle,' 'with the heel of his, the said *Williams*' boot or shoe,' of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private (late Corporal) *John Williams*, Company "F," 22d Infantry, *To forfeit to the United States twelve dollars per month of his monthly pay for six months, and to be confined at hard labor, in charge of the guard, for the same period, wearing a ball and chain weighing twenty pounds, attached to his left leg.*"

II...The proceedings, findings, and sentence in the foregoing case of Private (late Corporal) *John Williams*, Company "F," 22d Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

Sergeant *James F. Reardon*, Company "D," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., March 19, 1873.

GENERAL ORDERS No. 23.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph II, Special Orders No. 220, series of 1872, and of which Lieutenant Colonel W. P. CARLIN, 17th Infantry, is President, was arraigned and tried:

Sergeant *James F. Reardon*, Company "D," 17th Infantry.

CHARGE I.—"Disrespect towards his Commanding Officer, in violation of the 6th Article of War."

Specification I.—"In this: that he, *James F. Reardon*, Sergeant, Company 'D,' 17th Infantry, being at the time in charge of the company kitchen, when being told by his Company Commander, Captain Charles E. Clarke, 17th Infantry, that he wanted Private William Simms, one of the company cooks, to go and repair a certain lot of cordage, did reply in an insubordinate, insolent, and disrespectful manner, as follows: 'He can't be spared, sir,' or words to that effect. This at Camp Hancock, D. T., on or about the 9th day of November, 1872."

Specification II.—"In this: that he, Sergeant *James F. Reardon*, Company 'D,' 17th Infantry, when asked by his Company Commander, Captain Charles E. Clarke, 17th Infantry, if he had not been ordered the day previous to have the dinner served not before noon, did reply in an insubordinate, insolent and disre-

spectful manner, as follows: 'I had, and I try to obey my orders, but you won't let me,' or words to that effect. This at Camp Hancock, D. T., on or about the tenth day of November, 1872."

CHARGE II.—"Disobedience of orders."

Specification.—"In this: that he, Sergeant *James F. Reardon*, Company 'D,' 17th Infantry, being in charge of his company kitchen and dining room, and having been ordered in direct terms by his Company Commander, Captain Charles E. Clarke, 17th Infantry, to keep the dining room closed, and not have the company dinner served before the call at 12 o'clock, noon, did willfully disobey and violate said order by allowing the dining room door to be opened and the dinner served before the hour specified by aforesaid order, and before the dinner call had been sounded. This at Camp Hancock, D. T., on or about the 10th day of November, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

Charge II.

Of the *Specification*, "Guilty."
Of the Charge, "Guilty."

Sentence.

And the Court does therefore sentence him, Sergeant *James F. Reardon*, Company "D," 17th Infantry, "*To be reduced to the ranks, and to forfeit to the United States ten* (10) *dollars of his monthly pay per month, for the period of three* (3) *months.*"

II...The proceedings, findings, and sentence in the foregoing case of Sergeant *James F. Reardon*, Company "D," 17th Infantry, are approved, and the sentence will be duly executed. He will be released from arrest and restored to duty as a private.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 20, 1873.

GENERAL ORDERS No. 24.

Upon the receipt of this order, each post commander in this Department will immediately make a thorough inspection of all the public means of transportation at his post, and thereupon cause to be prepared and submitted, with the least practicable delay, to the Department Commander, full detailed estimates for the material (not on hand) required to put them all in complete readiness for active service.

At every post where there is material on hand, and the requisite civilian mechanics are employed, or enlisted mechanics can be obtained from the command, the necessary repairs will be immediately commenced, and carried on as far as the means at disposal will permit.

A special report of the inspection at each post will be made to Department headquarters, giving as nearly as possible the amount of repairs required, the amount of material on hand, the number of available mechanics, and any other information which may suggest itself as of value to be known to the Department Commander in furtherance of the object of this order.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

G. C. M.

1. Private *Ernest O. Hartman*, Company "D," 22d Infantry.
2. Private *James Martin*, Company "D," 22d Infantry.
3. Private *John P. Gorman*, Company "B," 22d Infantry.
4. Private *Joseph Williams*, Company "K," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., March 22, 1873.

GENERAL ORDERS No. 25.

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph I, Special Orders No. 220, series of 1872, from these Headquarters, and of which Lieutenant Colonel E. S. OTIS, 22d Infantry, is President, were arraigned and tried:

1st. Private *Ernest O. Hartman*, Company "D," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Ernest O. Hartman*, Company 'D,' 22d Infantry, a duly enlisted soldier in the army of the United States, did desert the same on or about July 23d, 1869. This at or near Fort Randall, D. T."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Ernest O. Hartman*, Company 'D,' 22d Infantry, did feloniously take, steal and carry away, for his own use and benefit, one (1) Springfield breech-loading rifled musket, calibre .50, complete, one (1) cartridge box, wool lined,

one (1) cartridge box plate, one (1) waist belt, private's, one (1) bayonet scabbard, Hoffman's attachment, one (1) gun-sling, one (1) tompion, one (1) screw-driver, twenty-five (25) centre-primed metallic cartridges, calibre .50, to the money value of $54.65, the property of the United States, and for which Captain Charles A. Webb, 22d Infantry, was responsible. All this at or near Fort Randall, D. T., on or about July 23d, 1869."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Ernest O. Hartman*, Company "D," 22d Infantry, "*To make good the time lost by desertion, to reimburse to the United States the sum of $54.65 for ordnance, also the expenses attending his transportation from Saint Louis, Mo., to Fort Randall, D. T., and to be confined at hard labor, under charge of the guard, at the post where his company may be serving, for the period of six months, with forfeiture of ten dollars ($10.00) per month of his pay for the same period.*"

2d. Private *James Martin*, Company "D," 22d Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Private *James Martin*, Company 'D,' 22d Infantry, did behave himself in a disorderly manner in the quarters of Company 'D,' 22d Infantry, and did, without just cause or provocation, strike Private John F. Patterson in the face, and otherwise abuse the said Private John F. Patterson. This at Fort Randall, D. T., on or about November 23d, 1872."

Specification II.—"In this: that he, Private *James Martin*, Company 'D,' 22d Infantry, did, when ordered by 1st Sergeant August Seibrecht, Company 'D,' 22d Infantry, to go to the guard-house, refuse to do so, and when force was used by the said 1st Sergeant August Seibrecht, he being in the execution of his office, to take him, Private *James Martin*, Company 'D,' 22d Infantry, to the guard-house, did strike him, 1st Sergeant August Seibrecht, in the face, and made use of the following abusive language, to-wit: 'You black livered son-of-a-b——.' 'Let me get at the damned ———.' 'I am a white man, and don't want that son-of-a-b—— to touch me.' 'I'll get even with that son-of-a-b—— before long,' meaning 1st Sergeant August Seibrecht, Company 'D,' 22d Infantry. All this at Fort Randall, D. T., on or about November 23d, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Guilty, excepting the words, 'did strike him,

1st Sergeant August Seibrecht, in the face,' and of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Martin*, Company "D," 22d Infantry, "*To be confined under charge of the guard, at the post where his company may be serving, for the period of three months, with the loss of all pay, and to be placed in solitary confinement, and allowed only bread and water for diet for ten days of each of the above enumerated months, and for the remaining days to be kept at hard labor.*"

3d. Private *John P. Gorman*, Company "B," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *John P. Gorman*, Company 'B,' 22d Infantry, did conduct himself in a boisterous and disorderly manner, in his company quarters, and say to Private James Kein, Company 'B,' 22d Infantry, and other enlisted men therein quartered, 'you are a starving lot of sons-of-b——, the man that insults me, I will cut his heart out,' or words to that effect. This at Fort Randall, D. T., on or about the 29th day of November, 1872."

Specification II.—"In this: that he, the said Private *John P. Gorman*, Company 'B,' 22d Infantry, did challenge Private James Kein, Company 'B,' 22d Infantry, to go with him outside the company quarters, for the purpose of engaging in a fight, and upon being refused did follow the said Private Kein to the company sink, or its immediate vicinity, and did there offer him violence, which was successfully resisted, at the same time saying to him, the said Private Kein, 'you are a son-of-a-b——,' or words to that effect. This at Fort Randall, D. T., on or about the 29th day of November, 1872."

Specification III.—"In this: that he, the said Private *John P. Gorman*, Company 'B,' 22d Infantry, did, in the company quarters of his

company, use threatening language toward Sergeant James O'Brien, and Private James Kein, Company 'B,' 22d Infantry, saying, 'I will kill you before twelve o'clock to-night,' or words to that effect. This at Fort Randall, D. T., on or about the 29th day of November, 1872."

Specification IV.—"In this: that he, the said Private *John P. Gorman*, Company 'B,' 22d Infantry, did, in the company quarters of 'B' Company, 22d Infantry, take a musket from the arm rack and load the same with ball cartridge, with intent to do bodily harm to Sergeant James O'Brien and Private James Kein, Company 'B,' 22d Infantry, and when arrested by Corporal John H. Harris, Company 'B,' 22d Infantry, did say: 'Let me go, I want to shoot Kein,' or words to that effect. This at Fort Randall, D. T., on or about the 29th day of November, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty, excepting the words, 'you are a starving lot of sons-of-b——,' and of the excepted words, Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the 3d *Specification*, "Guilty."
Of the 4th *Specification*, "Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John P. Gorman*, Company "B," 22d Infantry, "*To be confined at hard labor under charge*

of the guard, at the post where his company may be serving, for the period of three (3) months, with loss of all pay for the same period."

4th. Private *Joseph Williams*, Company "K," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Joseph Williams*, Company 'K,' 22d Infantry, an enlisted soldier in the service of the United States, private of Company 'K,' 22d U. S. Infantry, did desert the said service from Fort Randall, D. T., on or about the 10th day of December, 1872, and did remain absent from said service until delivered up as a prisoner at Fort Randall, D. T., on or about the 12th day of December, 1872. A reward of thirty dollars ($30) paid for his apprehension."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

The Court, having maturely considered the case, finds the accused as follows:

SENTENCE.

And the Court does therefore sentence him, Private *Joseph Williams*, Company "K," 22d U. S. Infantry, "*To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of two (2) years, and to forfeit to the United States all pay for the same period.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Ernest O. Hartman*, Company "D," and *Joseph Williams*, Company "K," 22d Infantry, are approved, and the sentences will be duly executed.

In the foregoing case of Private *James Martin*, Company "D," 22d Infantry, the evidence leaves upon the mind of the reviewing authority a strong impression that 1st Sergeant Seibrecht's tyrannical and abusive conduct toward the accused was the real cause of the affray upon which the foregoing charges were founded. The findings upon the 2d specification and upon the charge are therefore disapproved. The finding upon the 1st specification is approved. The proceedings and sentence are disapproved. Private *Martin* will be released from confinement and restored to duty.

In the foregoing case of Private *John P. Gorman*, Company "B," 22d Infantry, the offense of the accused, as disclosed by the evidence, seems to have been that he was drunk and disorderly, and while drunk used threatening language. While, therefore, the proceedings, findings, and sentence are approved, the sentence is mitigated to confinement in the guard-house at Fort Randall, for the period of one month. As thus modified it will be carried into effect.

III...The General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph I, Special Orders No. 220, series of 1872, from these Headquarters, and of which Lieutenant Colonel E. S. Otis, 22d Infantry, is President, is hereby dissolved.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Sergeant *Thomas Sullivan*, Company "B," 17th Infantry.
2. Private *Samuel B. Lumsden*, Company "F," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., March 24, 1873.

GENERAL ORDERS No. 26.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of paragraph III, Special Orders No. 5, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, were arraigned and tried:

1st. Sergeant *Thomas Sullivan*, Company "B," 17th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification I.—"In this: that Sergeant *Thomas Sullivan*, Company 'B,' 17th Infantry, having been regularly detailed as Sergeant of the camp guard, did fail to regularly relieve the sentinels posted as pickets about the camp of Company 'B,' 17th Infantry, (the said company being then on duty as escort to a party of surveyors of the Northern Pacific Railroad.) This at the camp of Company 'B,' 17th Infantry, on the north fork of Hart river, D. T., and on or about the 19th day of October, 1872."

Specification II.—"In this: that Sergeant *Thomas Sullivan*, Company 'B,' 17th Infantry, having been regularly detailed as Sergeant of the camp guard of Company 'B,' 17th Infantry, (the said company being on duty as escort to a party of surveyors of the

Northern Pacific Railroad), did, during his tour of duty, neglect to visit the sentinels posted as pickets about the camp of said company, and did fail to properly instruct them as to their duties as sentinels. This at the camp of Company 'B,' 17th Infantry, on the north fork of the Hart river, D. T., and on or about October 19, 1872."

Specification III.—"In this: that Sergeant *Thomas Sullivan*, Company 'B,' 17th Infantry, having been regularly detailed as Sergeant of the camp guard as aforesaid, and having been instructed by 1st Lieutenant L. M. O'Brien, 17th Infantry, then in command of Company 'B,' 17th Infantry, (on duty as escort as aforesaid), as to the proper signal to be given by the sentinels on picket about the camp of said company, in case the presence of Indians should be observed by them, did fail to instruct the said sentinels relative to said signal. This at the camp of Company 'B,' 17th Infantry, on the north fork of the Hart river, D. T., on or about the 19th day of October, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the 3d *Specification*, "Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Thomas Sullivan*, Company "B," 17th Infantry, "*To be reduced to the ranks.*"

2d. Private *Samuel B. Lumsden*, Company "F," 17th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *Samuel B. Lumsden*, Company 'F,' 17th Infantry, did, when ordered by Sergeant William Brauneman, acting 1st Sergeant Company 'F,' 17th Infantry, to fall into the ranks and join his company, then doing escort duty with the Engineer Train of the Northern Pacific Railroad, commit an assault on Sergeant Brauneman, by seizing him on the cheek with his teeth, and otherwise abusing him. This at Fort McKeen, D. T., on or about September 9th, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Samuel B. Lumsden*, Company "F," 17th Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay for the period of six months, and to be confined at hard labor, in the guard-house, for the same period.*"

II...The proceedings, findings, and sentence in the foregoing case of Sergeant *Thomas Sullivan*, Company "B," 17th Infantry, are approved, and the sentence will be duly executed. He will be released from arrest and restored to duty as a private.

The proceedings, findings, and sentence in the foregoing case of Private *Samuel B. Lumsden*, Company "F," 17th Infantry, are approved, and the sentence will be duly executed.

III...The General Court Martial which convened at Fort Rice, D. T.,

by virtue of paragraph III, Special Orders No. 5, current series, from these headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private (late Sergeant) *Nathan M. Barnes*, Company "C," 7th Inf'y.
2. Private *Henry Adams*, Company "B," 7th Infantry.
3. Private *John Mulcahy*, Company "I," 7th Infantry.
4. Private *James Anderson*, Company "I," 7th Infantry.
5. Private *Hugh Fitzsimmons*, Company "C," 7th Infantry.
6. Private *James Adams*, Company "K," 7th Infantry.
7. Private *Patrick Fallon*, Company "E," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 25, 1873.

GENERAL ORDERS No. 27.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph II, Special Orders No. 231, series of 1872, from these Headquarters, and of which Captain J. M. J. SANNO, 7th Infantry, is President, were arraigned and tried:

1st. Private (late Sergeant) *Nathan M. Barnes*, Company "C," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that Private (late Sergeant) *Nathan M. Barnes*, Company 'C,' 7th Infantry, having been duly enlisted in the United States service, did desert said service. This at Fort Shaw, M. T., on or about the 6th day of November, 1872."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that Private (late Sergeant) *Nathan M. Barnes*,

Company 'C,' 7th Infantry, did steal and feloniously carry away, or otherwise dispose of, one breech-loading musket, calibre .50, model 1868, the property of the United States. This at Fort Shaw, M. T., on or about the 6th day of November, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private (late Sergeant) *Nathan M. Barnes*, Company "C," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, except the just dues of the laundress, to be dishonorably discharged from the military service of the United States, and then to be confined at hard labor in charge of the guard, until January 1st*, 1875."

2d. Private *Henry Adams*, Company "B," 7th Infantry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In this: that he, Private *Henry Adams*, Company 'B,'

7th Infantry, while a member of the post guard, did become drunk. This at Fort Benton, M. T., on the 11th day of November, 1872."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Henry Adams*, Company 'B,' 7th Infantry, having been ordered by Sergeant Robert A. Miller, of the same company, in the performance of his duty, to leave the company mess-room, did fail to obey the said order. This at Fort Benton, M. T., on the 11th day of November, 1872."

Specification II.—"In this: that he, Private *Henry Adams*, Company 'B,' 7th Infantry, did offer violence against, and did strike with his fist, Sergeant Robert A. Miller of the company, while he, the said Sergeant Miller, was in the discharge of his duty. This at Fort Benton, M. T., on the 11th day of November, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Adams*, Company "B," 7th Infantry, "*To forfeit to the United States ten dollars of his monthly pay per month, for the period of four months, and to be confined at hard labor in charge of the guard, for the same period.*"

3d. Private *John Mulcahy*, Company "I," 7th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Private *John Mulcahy*, Company 'I,' 7th Infantry, did become under the influence of liquor, and did act in a disorderly, noisy, and boisterous manner in the quarters of Company 'I,' 7th Infantry. This at Fort Shaw, M. T., on or about the 24th day of November, 1872."

Specification II.—"In this: that he, Private *John Mulcahy*, Company 'I,' 7th Infantry, when ordered by Corporal Edwin R. Short, Company 'I,' 7th Infantry, to leave the squad-room, (he being in the charge of said room, and in the execution of his duty), replied in the words following, to-wit: 'I wont go for no son-of-a-b—— like you.' This at Fort Shaw, M. T., on or about the 24th day of November, 1872."

Specification III.—"In this: that he, Private *John Mulcahy*, Company 'I,' 7th Infantry, when taken to the guard-house by Corporal Edwin R. Short, Company 'I,' 7th Infantry, (he being in the execution of his duty), did resist him by striking at him with his fist, and did use the following language in words or figures, to-wit: 'I can lick you, you son-of-a-b——.' This at Fort Shaw, M. T., on or about the 24th day of November, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Mulcahy*, Company "I," 7th Infantry, "*To forfeit to the United States ten dollars per month of his monthly pay, for the period of six months.*"

4th. Private *James Anderson*, Company "I," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *James Anderson*, Company 'I,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert the said service at Fort Shaw, M. T., on or about November 5th, 1872, and did remain absent therefrom until apprehended at or near Wolf Creek, M. T., on or about November 8th, 1872. This at Fort Shaw, M. T., on or about the 5th day of November, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Anderson*, Company "I," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, to be dishonorably discharged from the United States military service, and then to be confined at hard labor until July* 1*st*, 1875, *in such military prison as the Department Commander may designate.*"

5th. Private *Hugh Fitzsimmons*, Company "C," 7th Infantry.

CHARGE I.—"Violation of the 23d Article of War."

Specification.—"In this: that Private *Hugh Fitzsimmons*, Company 'C,' 7th Infantry, (a prisoner undergoing sentence by General Court Martial), did advise and persuade one *James Adams*, a private of Company 'K,' 7th Infantry, while a sentinel and placed in charge of said *Fitzsimmons*, to desert the United States service. This at Fort Shaw, M. T., on or about the 13th day of December, 1872."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Hugh Fitzsimmons*, Company 'C,' 7th Infantry, did aid, abet and assist one *James Adams*, 'K' Company, 7th Infantry, in carrying away and appropriating to his (*Adams'*) own use, certain articles of ordnance stores, the property of the United States, to-wit: One (1) Springfield breech-loading musket, calibre .50, model 1868, and twenty (20) centre-primed metallic cartridges, calibre .50. This at Fort Shaw, M. T., on or about the 13th day of December, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Guilty, except the words, 'aid, abet, and assist one *James Adams*, 'K' Company, 7th Infantry, in carrying away and appropriating to his (*Adams'*,') and substituting therefor the words, 'take, steal, carry away, and appropriate to his,' also excepting the words and figures, 'twenty (20) centre-primed metallic cartridges, calibre .50.'"
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Hugh Fitzsimmons*, Company "C," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, to be dishonorably discharged from the United States military service, and then to be confined in such penitentiary as the Department Commander may designate, until January 1st*, 1878."

6th. Private *James Adams*, Company "K," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that Private *James Adams*, Company 'K,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert from said service at Fort Shaw, M. T., on or about the 13th day of December, 1872, and did remain absent therefrom until apprehended at about five (5) miles from Fort

Shaw, M. T., on the 14th day of December, 1872. This at or near Fort Shaw, M. T., on the dates specified."

CHARGE II.—"Quitting his guard, in violation of the 50th Article of War."

Specification.—"In this: that Private *James Adams*, Company 'K,' 7th Infantry, having been duly mounted as a member of the guard at the post of Fort Shaw, M. T., and having in his charge three (3) prisoners undergoing sentence of General Court Martial, did without necessity, or the leave of his superior officers, quit his guard, and take with him two (2) of the aforesaid prisoners, or permit the said prisoners to escape from confinement. This at Fort Shaw, M. T., on the 13th day of December 1872."

CHARGE III.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *James Adams*, Company 'K,' 7th Infantry, did take, steal and carry away, and appropriate to his own use, the following ordnance and ordnance stores, the property of the United States, and for which Captain J. M. J. Sanno, 7th Infantry, is responsible, to-wit: One (1) Springfield breech-loading rifled musket complete, model 1868, calibre .50, and twenty (20) rounds of centre-primed metallic cartridges, calibre .50. This at Fort Shaw, M. T., on or about the 13th day of December, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Adams*, Company "K," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, to be dishonorably discharged from the United States military service, and then to be confined in such penitentiary as the Department Commander may designate, until July 1st*, 1877."

7th. Private *Patrick Fallon*, Company "E," 7th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Private *Patrick Fallon*, Company 'E,' 7th Infantry, did create a disturbance in his quarters, thereby alarming the occupants, Sergeant Hoban and wife, in the adjoining set of quarters, and did utter threats in the hearing of Private Thomas Doyle, to the effect that he would shoot the said Sergeant Hoban, or words to that effect. This at Fort Shaw, M. T., on or about the 26th day of December, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'in the hearing of Private Thomas Doyle,' and of the excepted words, Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Patrick Fallon*, Company "E," 7th Infantry, "*To be confined at hard labor in charge of the guard, for the period of two months.*"

II...The proceedings, findings, and sentences in the foregoing cases of Private (late Sergeant) *Nathan M. Barnes*, Company "C," and Private *James Anderson*, Company "I," 7th Infantry, are approved. The sentences are modified so as to make the dishonorable discharge, in each case, take effect at the expiration of their respective terms of confinement. As thus modified the sentences will be duly executed. Fort Shaw, M. T., is designated as the place of confinement of Private *Anderson*.

The proceedings, findings, and sentence in the foregoing case of Private *John Mulcahy*, Company "I," 7th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

The proceedings, findings, and sentences in the foregoing cases of Privates *Henry Adams*, Company "B," and *Patrick Fallon*, Company "E," 7th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings, and sentences in the foregoing cases of Privates *James Adams*, Company "K," and *Hugh Fitzsimmons*, Company "C," 7th Infantry, are approved. The sentences are modified so as to make the dishonorable discharge, in each case, take effect at the

expiration of their respective terms of confinement. As thus modified the sentences will be duly executed. The Minnesota State Prison, at Stillwater, Minn., is designated as the place of confinement.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Sergeant *William Maxwell*, Company "B," 7th Infantry.
2. Private *William Ford*, Company "C," 7th Infantry.
3. Private *Dennis Dooley*, Company "E," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., March 26, 1873.

GENERAL ORDERS No. 28.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph II, Special Orders No. 231, series of 1872, from these Headquarters, and of which 1st Lieutenant DANIEL ROBINSON, 7th Infantry, is President, were arraigned and tried:

1st. Sergeant *William Maxwell*, Company "B," 7th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that Sergeant *William Maxwell*, Company 'B,' 7th Infantry, was drunk in the presence of many of the privates of the company. This at Fort Benton, M. T., on the 26th day of November, 1872."

CHARGE II.—"Disobedience of orders."

Specification.—"In: that Sergeant *William Maxwell*, Company 'B,' 7th Infantry, did, in violation of the following order, fail to connect himself with the non-commissioned officers' mess of his company, from the date of the order to the 26th day of November, 1872:

'COMPANY 'B,' 7TH INFANTRY,
'*Fort Benton, M. T., October 23d*, 1872.

'COMPANY ORDERS
'No 20.

* * * * * * *

'IV...A non-commissioned officers' mess will be immediately established and maintained in this company. All non-commissioned officers, whether actual or lance, are required to connect themselves with this mess, and at all times to take their meals with it.

* * * * * * *

(Signed.) 'JAMES H. BRADLEY,
'1*st Lieutenant 7th Infantry,*
'*Commanding Company.*'

This at Fort Benton, M. T., between the dates specified."

ADDITIONAL CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that Sergeant *William Maxwell*, Company 'B,' 7th Infantry, having been ordered to his quarters in close arrest, by his Commanding Officer, 1st Lieutenant James H. Bradley, 7th Infantry, did break the said arrest by appearing in the area of the post. This at Fort Benton, M. T., on the 27th day of November, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

ADDITIONAL CHARGE.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Guilty," but no criminality is attached thereto.
Of the CHARGE, "Not Guilty."

ADDITIONAL CHARGE.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Sergeant *William Maxwell*, Company "B," 7th Infantry.

2d. Private *William Ford*, Company "C," 7th Infantry.

CHARGE I.—"Violation of the 21st Article of War."

Specification.—"In this: that he, Private *William Ford*, Company 'C,' 7th Infantry, did, without leave from his Commanding Officer, absent himself from his company, and from the regular monthly inspection of his command. This at Fort Shaw, M. T., on or about the 30th of November, 1872."

CHARGE II.—"Violation of the 44th Article of War."

Specification.—"In this: that he, Private *William Ford*, Company 'C,' 7th Infantry, did, when regularly detailed for duty as a member of the post guard, at Fort Shaw, M. T., fail to repair to the appointed place of rendezvous, and did willfully absent himself, although not prevented by sickness or other evident necessity. This at Fort Shaw, M. T., on or about the 30th of November, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Ford*, Company "C," 7th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for one month, and to be confined at hard labor, in charge of the guard, for the same period.*"

3d. Private *Dennis Dooley*, Company "E," 7th Infantry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In this: that he, Private *Dennis Dooley*, Company 'E,' 7th Infantry, having been duly posted as a sentinel, did quit his post, without having been regularly relieved. This at Fort Shaw, M. T., on or about the 25th day of November, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Dennis Dooley*, Company "E," 7th Infantry, "*To be confined at hard labor, in charge of the guard, for the period of one month. The Court is thus lenient, believing the offence of accused is not entirely of the character contemplated by the 46th Article of War.*"

II...The proceedings, findings, and acquittal in the foregoing case of Sergeant *William Maxwell*, Company "B," 7th Infantry, are approved. Orders have already been issued for his release from arrest and restoration to duty.

The proceedings, findings, and sentence in the foregoing case of Private *William Ford*, Company "C," 7th Infantry, are approved, and the sentence will be duly executed.

In the foregoing case of Private *Dennis Dooley*, Company "E," 7th Infantry, the accused is charged with a violation of the 46th Article of War. The Court has found him guilty of the charge, but in giving its reasons for inflicting a mild punishment, has expressed the opinion that the offence is "not *entirely* of the character contemplated by the 46th Article of War." The reviewing authority is of the opinion that the evidence shows a violation of that article, but if the Court was of the opinion that it was not, it should have found the accused not guilty. An offence charged must be *entirely* within the article under which it is charged, or else it is entirely without. Therefore, the Court in this case, has in substance found the accused both guilty and not guilty.

The proceedings, findings, and sentence are therefore disapproved. Private *Dooley* will be released from confinement and restored to duty.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *William McClellan*, Company "B," 7th Infantry.
2. Private *Patrick Murphy*, Company "B," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., March 27, 1873.

GENERAL ORDERS No. 29.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph II, Special Orders No. 231, series of 1872, from these Headquarters, and of which Captain C. C. RAWN, 7th Infantry, is President, were arraigned and tried:

1st. Private *William McClellan*, Company "B," 7th Infantry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In this: that he, Private *William McClellan*, Company 'B,' 7th Infantry, did while a member of the post guard, become so much under the influence of intoxicating liquor, as to be unable to perform his duties properly. This at Fort Benton, M. T., on the 25th of October, 1872."

CHARGE II.—"Drunkenness on duty."

Specification.—"In this: that he, Private *William McClellan*, Company 'B,' 7th Infantry, did appear at drill in such a state of intoxication as to be unable to drill properly. This at Fort Benton, M. T., on the 4th of November, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William McClellan*, Company "B," 7th Infantry, "*To be confined at hard labor, in charge of the guard, for the period of three months. The Court is thus lenient in view of the circumstances tending toward mitigation of punishment, shown by the accused.*"

2d. Private *Patrick Murphy*, Company "B," 7th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In: that Private *Patrick Murphy*, Company 'B,' 7th Infantry, did, in violation of the following regularly published order, viz:

'COMPANY 'B,' 7TH INFANTRY,
'*Fort Benton, M. T., August* 2, 1872.

'COMPANY ORDERS
'No. 19.

'The custom prevalent in this company of the enlisted men borrowing ammunition and accoutrements, &c., from one another, is strictly prohibited. Any repetition of the offence will be severely punished.

(Signed,) 'T. S. KIRTLAND,
'*Captain, 7th Infantry,*
'*Commanding Company.*'

borrow a pair of trowsers from Private James Devine, Company 'B,' 7th Infantry. This at Fort Benton, M. T., on or about November 3d, 1872."

Specification II.—"In: that Private *Patrick Murphy*, Company 'B,' 7th Infantry, did state to Sergeant Robert A. Miller, Company 'B,' 7th Infantry, in charge of the squad-room to which Private *Murphy* belonged, that he had received a drink of whiskey from Private Frank Hamilton, Company 'B,' 7th Infantry, then a member of the post guard, thus accusing Private Hamilton of a violation of standing orders of the post, which resulted in his being relieved from guard and confined, the said accusation being entirely false. This at Fort Benton, M. T, on or about November 3d, 1872."

CHARGE II.—"Drunkenness on drill."

Specification.—"In: that Private *Patrick Murphy*, Company 'B,' 7th Infantry, did appear at the evening drill of his company so drunk as to be unable to drill properly. This at Fort Benton, M. T., on or about November 4, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty," but attach no criminality thereto.
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Patrick Murphy*, Company 'B,' 7th Infantry, "*To forfeit to the United States five dollars of his monthly pay.*"

II...In the foregoing case of Private *William McClellan*, Company "B," 7th Infantry, the proceedings, findings, and sentence are approved, and the sentence will be duly executed. It appears that the accused was placed in confinement in the guard-house on October 25th last, and there remained for eight days. He was then released and returned to duty. There is no statement that charges were ever prepared. The great injustice of thus arbitrarily imprisoning an enlisted man, and keeping him in confinement for that length of time, is apparent, and the Commanding Officer who would be guilty of such conduct, ought to receive a severe rebuke; and this particular Commanding Officer is informed that such conduct in future will not be overlooked, but promptly noticed.

The proceedings, findings, and sentence in the foregoing case of Private *Patrick Murphy*, Company "B," 7th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

Private *Leander B. Stoyell*, Company "K," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., March 31, 1873.

GENERAL ORDERS No. 30.

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 223, series of 1872, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry is President, were arraigned and tried:

Private *Leander B. Stoyell*, Company "K," 17th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"That Private *Leander B. Stoyell*, Company 'K,' 17th U. S. Infantry, did enter the company kitchen of Company 'K,' 17th Infantry, and did then attack and knock down Private William Ufer, Company 'K,' 17th Infantry, and did hold him down until he was rescued by 1st Sergeant George Betts, Company 'K,' 17th Infantry. This at Cheyenne Agency, D. T., on or about the 25th day of December, 1872."

Specification II.—"That Private *Leander B. Stoyell*, Company 'K,' 17th Infantry, was drunk, and created a disturbance by shouting and making a noise in the quarters of his company, and when ordered to go to the post guard-house by Sergeant George Betts, the 1st

sergeant of his company, did refuse to go, and did strike said 1st Sergeant George Betts with his fist, in said company quarters. This at Cheyenne Agency, D. T., on or about the 25th day of December, 1872."

Specification III.—"That Private *Leander B. Stoyell*, Company 'K,' 17th Infantry, did strike upon the head with a bayonet, 1st Sergeant George Betts, Company 'K,' 17th Infantry, thereby inflicting upon him two severe wounds, which necessitated the attention of the medical officer of the post. This in the quarters of his company, and in the presence of the enlisted men of his company, at Cheyenne Agency, D. T., on or about the 25th day of December, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Leander B. Stoyell*, Company "K," 17th Infantry, "*To forfeit to the United States ten dollars of his monthly pay per month for six months, and to be confined at hard labor, under charge of the guard, for the same period.*"

II...The proceedings, findings, and sentence in the foregoing case of

Private *Leander B. Stoyell*, Company "K," 17th Infantry, are approved, and the sentence will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., April 17, 1873.

GENERAL ORDERS }
No. 31. }

Commanding Officers of expeditions, scouts, escorts, &c., in this Department will, in future, forward reports of the same upon return to their stations, accompanied by map of the route, and a "Journal," as directed in paragraphs 708–715 inclusive, Revised Army Regulations, 1863.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 6th Infantry.

G. C. M.

1. Private *Joshua Stewart*, Company "F," 17th Infantry.
2. Private *Patrick Bowen*, unassigned recruit, 20th Infantry.
3. Private *Charles H. Potter*, Company "A," 17th Infantry.
4. Corporal *Howard A. Burnett*, Company "C," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., April 18, 1873.

GENERAL ORDERS No. 32.

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of paragraph I, Special Orders No. 46, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried:

1st. Private *Joshua Stewart*, Company "F," 17th Infantry.

CHARGE.—"Desertion."

Specification I.—"In this: that he, Private *Joshua Stewart*, Company 'F,' 17th Infantry, having been duly enlisted as a soldier in the United States Army, did desert from his company and regiment on or about the 6th day of November, 1872, and did remain absent until apprehended at Fort Snelling, Minn. All this at Fort Rice, D. T., on or about the 6th day of November, 1872."

ADDITIONAL CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Joshua Stewart*, Company 'F,' 17th Infantry, being a prisoner awaiting trial for desertion, did desert from military custody, in connivance with the sentinel placed in charge of him, and did remain absent until apprehended

by a party sent in pursuit of him. This at Fort Snelling, Minn., on or about the 10th March, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

ADDITIONAL CHARGE.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

ADDITIONAL CHARGE.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Joshua Stewart*, Company "F," 17th Infantry, "*To forfeit all pay and allowances that are or may become due him, to be confined at hard labor at such military prison as the Department Commander may designate, for five years, wearing a ball and chain weighing twelve* (12) *pounds, and then to be dishonorably discharged and drummed out of the service.*"

2d. Private *Patrick Bowen*, unassigned recruit, 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Patrick Bowen*, unassigned recruit, 20th Infantry, a duly enlisted soldier in the service of

the United States, did desert said service at Winona, Minn., on or about September 21, 1872, and did remain absent until apprehended at Rock Island Arsenal, Illinois, on or about the 9th day of December, 1872."

ADDITIONAL CHARGE.—" Desertion."

Specification.—"In this: that Private *Patrick Bowen*, unassigned recruit, 20th Infantry, being a prisoner awaiting trial for desertion, did desert from military custody, in connivance with the sentinel placed in charge of him, and did remain absent until apprehended by a party sent in pursuit of him. This at Fort Snelling, Minn., on or about the 10th March, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, " Not Guilty."
To the CHARGE, " Not Guilty."

ADDITIONAL CHARGE.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

ADDITIONAL CHARGE.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Patrick Bowen*, unassigned recruit, 20th Infantry, " *To forfeit all pay and allowances that are or may become due him, to be confined at hard labor at such military*

prison as the Department Commander may designate, for five (5) years, wearing a ball and chain weighing twelve (12) pounds, and then to be dishonorably discharged and drummed out of the service."

3d. Private *Charles H. Potter*, Company "A," 17th Infantry.

CHARGE I.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Charles H. Potter*, Company 'A,' 17th Infantry, being a member of the guard at Fort Snelling, Minn., on the 10th March, 1873, and a sentinel in charge of the general prisoners, soldiers, did permit them to escape from his custody and the service of the United States."

CHARGE II.—"Desertion."

Specification.—"In this: that Private *Charles H. Potter*, Company 'A,' 17th Infantry, a duly enlisted soldier in the service of the United States, and a member of the guard at Fort Snelling, Minn., on the 10th March, 1873, in charge of two general prisoners, did desert said service, and did remain absent until apprehended by a party sent in pursuit of him. This at the time and place specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles H. Potter*, Company "A," 17th Infantry, "*To forfeit all pay and allowances that are or may become due him, to be confined at hard labor at such military prison as the Department Commander may designate, for five* (5) *years, wearing a ball and chain weighing twelve* (12) *pounds, and then to be dishonorably discharged and drummed out of the service.*"

4th. Corporal *Howard A. Burnett*, Company "C," 20th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Corporal *Howard A. Burnett*, Company 'C,' 20th Infantry, did absent himself from tattoo roll call at Fort Snelling, Minn., February 4, 1873, without proper authority."

Specification II.—"In this: that he, Corporal *Howard A. Burnett*, Company 'C,' 20th Infantry, did absent himself from tattoo roll call at Fort Snelling, Minn., January 5, 1873, without permission, and on being questioned by Captain H. G. Thomas, 20th Infantry, the next day, did reply, 'I went away on purpose to get drunk, as it does not suit me to be a corporal,' or words to that effect."

Specification III.—"In this: that he, Corporal *Howard A. Burnett*, Company 'C,' 20th Infantry, did absent himself without proper authority from his company and post on the evening of February 5, 1873, at Fort Snelling, Minn."

Specification IV.—"In this: that he, Corporal *Howard A. Burnett*, Company 'C,' 20th Infantry, did become so drunk as to be unable to perform the duties of a soldier. This at Fort Snelling, on or about February 5, 1873."

Specification V.—"In this: that he, Corporal *Howard A. Burnett*, Company 'C,' 20th Infantry, did absent himself from his company and post without proper authority, about noon March 14th, 1873, and did remain absent until some time after tattoo same day. This at Fort Snelling, Minn."

Specification VI.—"In this: that he, Corporal *Howard A. Burnett*, Company 'C,' 20th Infantry, did become so drunk as to be unable to perform the duties of a soldier. This at Fort Snelling, Minn., on or about March 15, 1873."

CHARGE II.—"Disobedience of orders."

Specification.—"In this: that he, Corporal *Howard A. Burnett*, Company 'C,' 20th Infantry, having been ordered by 1st Sergeant William Dampier, Company 'C,' 20th Infantry, to report in charge of a fatigue party to 1st Lieutenant T. W. Lord, 20th Infantry, did fail to obey said order. This at Fort Snelling, Minn, on or about March 14, 1873."

CHARGE III.—"Breach of Arrest."

Specification.—"In this: that he, Corporal *Howard A. Burnett*, Company 'C,' 20th Infantry, having been placed in arrest by Captain H. G. Thomas, 20th Infantry, commanding Company 'C,' did break his arrest, leave the post of Fort Snelling, Minn., and did remain absent until apprehended at Mendota, Minn. This at Fort Snelling, Minn., on or about March 15, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Guilty."

To the 4th *Specification*, "Not Guilty."
To the 5th *Specification*, "Guilty."
To the 6th *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE III.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the 4th *Specification*, "Guilty."
Of the 5th *Specification*, "Guilty."
Of the 6th *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *Howard A. Burnett*, Company "C," 20th Infantry, "*To be reduced to the ranks, to forfeit ten dollars of his pay per month for four months, and to be confined at*

hard labor, in charge of the guard, for thirty days, fifteen of which to carry a knapsack in front of the guard-house, weighing forty pounds, from fatigue call A. M., until recall P. M., allowing him half an hour for his dinner."

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Joshua Stewart*, Company "F," *Charles H. Potter*, Company "A," 17th Infantry, and *Patrick Bowen*, unassigned recruit, 20th Infantry, are approved, and the sentences will be duly executed. Fort Snelling, Minn., is designated as the place of their confinement.

The proceedings, findings, and sentence in the foregoing case of Corporal *Howard A. Burnett*, Company "C," 20th Infantry, are approved, and the sentence will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 26, 1873.

GENERAL ORDERS No. 33.

District and Post Commanders will furnish Colonel *N. H. Davis*, Inspector General, U. S. A., such escorts, transportation and other facilities as may be required by him on his approaching tour of Inspection of this Department under orders from the War Department.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

G. C. M.

Private *Francis McCaffrey*, Company "D," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 30, 1873.

GENERAL ORDERS No. 34.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph II, Special Orders No. 231, series of 1872, from these Headquarters, and of which Captain C. C. RAWN, 7th Infantry, is President, was arraigned and tried:

Private *Francis McCaffrey*, Company "D," 7th Infantry.

CHARGE —"Drunkenness on duty."

Specification.—"In this: that he, Private *Francis McCaffrey*, Company 'D,' 7th Infantry, being on duty as a member of the post guard, and having been duly posted as a sentinel in charge of the hay stacks belonging to the United States, did become so much under the influence of intoxicating liquor as to be unable to perform his duty properly. All this at Fort Shaw, M. T., on or about the 4th day of November, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Francis McCaffrey*, Company "D," 7th Infantry, "*To be confined at hard labor in charge of the guard, at the post where his company may be serving, for the period of three months.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *Francis McCaffrey*, Company "D," 7th Infantry, are approved. The sentence is remitted. Private *McCaffrey* will be released from confinement and returned to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May, 1, 1873.

GENERAL ORDERS
No. 35.

Major *B. C. Card,* Quartermaster, U. S. A., having reported at these headquarters, in compliance with paragraph VII, Special Orders No. 66, current series, War Department, Adjutant General's office, is announced as Chief Quartermaster of the Department, relieving Lieutenant Colonel *H. C. Ransom,* Deputy Quartermaster General, U. S. A.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 13, 1873.

GENERAL ORDERS No. 36.

Captain *R. P. Hughes*, 3d Infantry, having reported at these headquarters, pursuant to Special Orders No. 26, current series, headquarters Military Division of the Missouri, is announced as Aide-de-Camp to the Department Commander, from the 23d ultimo, the date on which he reported. He will be obeyed and respected accordingly.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

G. C. M.

Observer Sergeant *George McDonald*, Signal Service, U. S. A.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 14, 1873.

GENERAL ORDERS No. 37.

I...Before a General Court Martial which convened at Fort Pembina, D. T., by virtue of Special Orders No. 42, current series, from these Headquarters, and of which Captain LOYD WHEATON, 20th Infantry, is President, was arraigned and tried:—

Observer Sergeant *George McDonald*, Signal Service, U. S. A.

CHARGE I.—"Drunkenness, to the prejudice of good order and military discipline."

Specification.—"In this: that Observer Sergeant *George McDonald*, Signal Service, U. S. Army, was drunk and unfit for duty, and while in this condition, did enter the private dwelling of one Alexander Santino, a citizen. All this on or about January 16, 1873, at or near Fort Pembina, D. T.

CHARGE II.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that Observer Sergeant *George McDonald*, Signal Service, U. S. Army, while on duty at or near Fort Pembina, D. T., did fail to deliver weather reports to office of Northwestern Telegraph Company, for transmission to Saint Paul, Minn., from the afternoon of January 24th, 1873, to January 30th, 1873. All this at or near Fort Pembina, D. T.

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Observer Sergeant *George McDonald*, Signal Service, U. S. Army, "*To be dishonorably discharged the service of the United States.*"

II...The proceedings, findings and sentence in the foregoing case of Observer Sergeant *George McDonald*, Signal Service, U. S. Army, are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Sergeant *Robert Hilliard*, Company "K," 22d Infantry.
2. Private *Hiram Hires*, Company "K," 22d Infantry.
3. Private *Bernard McManus*, Company "K," 22d Infantry.
4. Private *Charles M. Gipson*, Company "D," 22d Infantry.
5. Private *Hugh Smith*, Company "H," 22d Infantry.
6. Private *Robert Adams*, Company "H," 22d Infantry.
7. Private *David Harris*, Company "G," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., May 15, 1873.

GENERAL ORDERS No. 38.

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph I, Special Orders No. 47, current series, from these headquarters, and of which Lieutenant Colonel E. S. OTIS, 22d Infantry, is President, were arraigned and tried:

1st. Sergeant *Robert Hilliard*, Company "K," 22d Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In this: that he, Sergeant *Robert Hilliard*, of Company 'K,' 22d Infantry, having been duly mounted as Sergeant of the Guard, did become so much under the influence of intoxicating liquor as to be unable to perform his duty in a proper manner. All this at Fort Randall, D. T., on or about March 10th, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Robert Hilliard*, Company "K," 22d Infantry, "*To be reduced to the ranks, and to forfeit ten dollars* ($10.00) *per month of his monthly pay, for six months.*"

2d. Private *Hiram Hires*, Company "K," 22d Infantry.

CHARGE I.—"Violation of the 38th Article of War."

Specification.—"In this: that he, Private *Hiram Hires*, Company 'K,' 22d Infantry, did sell or otherwise dispose of one breech-loading rifle, model 1868, and valued at $50.00, more or less, the said rifle being the property of the United States, and for which 1st Lieutenant Martin E. Hogan, 22d Infantry, is responsible. This at Fort Randall, D. T., on or about the 9th day of March, 1873."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Hiram Hires*, Company 'K,' 22d Infantry, did sell or otherwise dispose of one breech-loading rifle, model of 1868, and valued at $50.00, more or less, the said rifle being the property of the United States, and for which 1st Lieutenant Martin E. Hogan, 22d Infantry, is responsible. All this at Fort Randall, D. T., on or about the 9th day of March, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Hiram Hires*, Company "K," 22d Regiment, U. S. Infantry.

3d. Private *Bernard McManus*, Company "K," 22d Infantry.

CHARGE I.—"Absence without leave, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Bernard McManus*, Company 'K,' 22d Infantry, did absent himself from his company and post without proper authority, and did remain absent from 8 o'clock on the evening of March 8th, 1873, until 7 o'clock on the morning of March 9th, 1873. This at Fort Randall, D. T., on or about the dates and hours above specified."

CHARGE II.—"Disobedience of orders."

Specification.—"In this: that he, Private *Bernard McManus*, Company 'K,' 22d Infantry, having heard the following order read, on his company parade ground, viz.:

'HEADQUARTERS, FORT RANDALL, D. T.,
January 21*st*, 1873.

'GENERAL ORDERS
No. 1.

'Because of the constant complaints of the Yankton Indians, living on the opposite side of the river, near White Swan, D. T., regarding the continued misconduct of enlisted men of this garrison, who visit their lodges and dwellings, Company Commanders are forbidden to grant to members of their respective companies, permission to cross to the opposite side of the river; and the action of any enlisted man, who, without permission from proper authority, visits any locality upon the Yankton Indian Reservation, or any point above the same, will be considered in direct violation of existing orders of the post.

'BY COMMAND OF LIEUTENANT COLONEL E. S. OTIS.

'(Signed,) 'O. M. SMITH,
2d Lieutenant, 22d Infantry,
Post Adjutant.'

did, in violation of said orders, cross to the opposite side of the river, on the Yankton Indian Reservation, and did remain there for the period of eleven (11) hours, more or less. All this at Fort Randall, D. T., on or about the 8th day of March, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Bernard McManus*, Company "K," 22d Infantry, "*To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of four* (4) *months, and to forfeit ten dollars* ($10.00) *per month of his monthly pay, for the same period.*"

4th. Private *Charles M. Gipson*, Company "D," 22d Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this: that he, Private *Charles M. Gipson*, Company 'D,' 22d Infantry, did cross the Missouri river without permission from proper authority, and in direct violation of the following order:

'HEADQUARTERS, FORT RANDALL, D. T.,

January 21*st*, 1873.

'GENERAL ORDERS No. 1.

'Because of the constant complaints of the Yankton Indians living on the opposite side of the river, near White Swan, D. T., regarding the constant misconduct of the enlisted men of this garrison, who visit their lodges and dwellings, Company Commanders are forbidden to grant to members of their respective companies, permission to cross to the opposite side of the river; and the action of any enlisted man, who, without proper authority, visits any locality upon the Yankton Indian Reservation, or any point above the same, will be considered in direct violation of the existing orders of this post.

'BY COMMAND OF LIEUTENANT COLONEL E. S. OTIS.

'(Signed,) 'O. M. SMITH,
2d Lieutenant, 22d Infantry,
Post Adjutant.'

the same being duly published to the command. All this at or near Fort Randall, D. T., on or about the 6th day of February, 1873."

CHARGE II.—"Absence without leave."

Specification.—"In this: that he, Private *Charles M. Gipson*, Company 'D,' 22d Infantry, did leave his company and post, and visit a ranche kept by one Joe Ellis, without permission from proper authority. All this at or near Fort Randall, D. T., on or about the 6th day of February, 1873."

CHARGE III.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Charles M. Gipson*, Company 'D,' 22d Infantry, did purchase from one Joe Ellis, three (3) canteens of whiskey, for the use of Private Murray E. Davis, Company 'D,' 22d Infantry, and others. All this at Fort Randall, D. T., on or about the 6th day of February, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE III.

Of the *Specification*, "Guilty, except the words, 'one Joe Ellis,' and substitute therefor 'a party unknown.'"
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles M. Gipson*, Company "D," 22d Regiment, U. S. Infantry, "*To forfeit ten dollars* ($10.00) *of his monthly pay for the period of two* (2) *months.*"

5th. Private *Hugh Smith*, Company "H," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Hugh Smith*, Company 'H,' 22d Infantry, a duly enlisted soldier in the service of the United States, did desert said service, and did remain absent until apprehended at or near Ponca Creek, D. T., March 10th, 1873. $30.00 reward paid for apprehension. This at Fort Randall, D. T., on or about the 9th day of March, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Hugh Smith*, Company "H," 22d Infantry, "*To be confined at hard labor, under*

charge of the guard, at the post where his company may be serving, for the term of two (2) years, and to forfeit all pay for the same period."

6th. Private *Robert Adams*, Company "H," 22d Infantry.

CHARGE.—" Desertion."

Specification.—"In this: that he, Private *Robert Adams*, Company 'H,' 22d Infantry, a duly enlisted soldier in the service of the United States, did desert said service, and did remain absent until apprehended at or near Ponca Creek, D. T., March 10th, 1873. $30.00 reward paid for his apprehension. This at Fort Randall, D. T., on or about the 9th day of March, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, " Not Guilty."
To the CHARGE, " Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Robert Adams*, Company "H," 22d Infantry, " *To be confined at hard labor, under charge of the guard, at the post where his company may be serving, for the period of two (2) years, and to forfeit all pay for the same period.*"

7th. Private *David Harris*, Company "G," 22d Infantry.

CHARGE I.—" Violation of the 9th Article of War."

Specification I.—"In this: that he, *David Harris*, a duly enlisted soldier in the service of the United States, and private of 'G' Company, 22d Infantry, did knowingly and willfully disobey the lawful orders of the Commanding Officer of his company, Captain

Charles W. Miner, 22d Infantry, and did, in violation of the express commands of the latter, given to him in person, absent himself from his company and post, and did cross to the opposite bank of the Missouri river, and there remain for a long period of time. This at Fort Randall, D. T., on or about the 13th day of February, 1873."

Specification II.—"In this: that he, *David Harris*, a duly enlisted soldier in the service of the United States, and private of 'G' Company, 22d Infantry, did knowingly disobey a written order issued from the headquarters of the post of Fort Randall, D. T., and duly published to the company of which he is a member, by absenting himself from his post and company and crossing the Missouri river to the Reservation of the Yankton Sioux Indians, without receiving any permission whatever, which action on his part was in direct violation of the above mentioned order, said order being in the words and figures following, to-wit:

'HEADQUARTERS, FORT RANDALL, D. T.,

January 21, 1873.

GENERAL ORDERS No. 1.

'Because of the constant complaints of the Yankton Indians, living on the opposite side, near White Swan, D. T., regarding the continued misconduct of enlisted men of this garrison, who visit their lodges and dwellings, Company Commanders are forbidden to grant to members of their respective companies, permission to cross to the opposite side of the river, and the action of any enlisted man, who, without proper authority, visits any locality upon the Yankton Indian Reservation, or any point above the same, will be considered in direct violation of the existing orders of this post.

'BY COMMAND OF LIEUTENANT COLONEL E. S. OTIS.

'(Signed,) 'O. M. SMITH,
2d Lieutenant, 22d Infantry,
Post Adjutant.'

This at Fort Randall, D. T., on or about the 13th day of February, 1873.

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, *David Harris*, a duly enlisted soldier in the service of the United States, and private of 'G' Company, 22d Infantry, did introduce and dispose of in the Indian country, and upon the Indian Reservation of the Yankton Sioux Indians, a quantity of spirituous liquors, to-wit: about five gallons, be the same more or less, much to the prejudice of the good order and military discipline of the military service, and in direct violation of an Act of Congress entitled, 'An Act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontier,' approved June 30th, 1834, and amended by additional Act of Congress, approved March 3d, 1847. This upon the Indian Reservation of the Yankton Sioux Indians, and, at White Swan, D. T., on or about the 13th day of February 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, confirms the plea of the accused, and finds him as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *David Harris*, Company "G," 22d Infantry, "*To be confined at hard labor, under charge of the guard, at the post where his company may be serving, for the period of six months, and to forfeit ten dollars* ($10.00) *of his monthly pay, for the same period.*"

II...The proceedings, findings and sentence in the foregoing case of Sergeant *Robert Hilliard*, Company "K," 22d Infantry, are approved, but upon the recommendation of the Court, the sentence is remitted. He will be released from arrest and restored to duty.

The proceedings, findings and acquittal in the foregoing case of Private *Hiram Hires*, Company "K," 22d Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings, findings and sentence in the foregoing case of Private *Charles M. Gipson*, Company "D," 22d Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

The proceedings, findings and sentences in the foregoing cases of Privates *Hugh Smith* and *Robert Adams*, Company "H," *Bernard McManus*, Company "K," and *David Harris*, Company "G," 22d Infantry, are approved, and the sentences will be duly executed.

III...The General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph I, Special Orders No. 47, current series, from these Headquarters, and of which Lieutenant Colonel E. S. OTIS, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *Peter O'Donnell*, Company "D," 5th Cavalry.
2. Private *James Quigley*, Company "B," 17th Infantry.
3. Private *Joseph Arnhorst*, unassigned, 20th Infantry.
4. Private *George Coffin*, Troop "I," 7th Cavalry.
5. Farrier *Robert Nelson*, Troop "D," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 16, 1873.

GENERAL ORDERS No. 39.

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of paragraph I, Special Orders No. 46, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried:—

1st. Private *Peter O'Donnell*, Company "D," 5th Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Peter O'Donnell*, Company 'D,' 5th U. S. Cavalry, a duly enlisted soldier in the Army of the United States, did desert the same at Antelope Station, (U. P. R. R.) Neb., on or about the 30th day of July, 1870, and did so remain a deserter until apprehended at or near Wadena, Minnesota, on or about the 11th day of November, 1872."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Peter O'Donnell*, Company 'D,' 5th U. S. Cavalry, did take, steal and carry away from the quarters

of his company, the following articles of ordnance and ordnance stores, for which Captain Samuel S. Summer, 5th U. S. Cavalry, is responsible, viz.:

1 Colt's revolver, cal. 44, - - -	$50.00
1 sabre belt and plate, - - - -	1.90
1 pistol belt holster, - - - - -	90
1 pistol cartridge pouch, - - - -	60
1 pair spurs and straps, - - - - -	55
1 thong and brush wiper, (carbine), - - -	37
1 saddle blanket, (cavalry), - - - -	4.25
(Total valuation),	$58.57

This at Antelope Station, (U. P. R. R.) Neb., on or about the 30th day of July, 1870."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Peter O'Donnell*, Company "D," 5th U. S. Cavalry, "*To forfeit all pay and allowances that are or may become due him; to be confined at hard labor, at such military prison as the Department Commander may designate, for three years, wearing a ball and chain weighing twelve pounds, and then to be dishonorably discharged and drummed out of the service.*"

2d. Private *James Quigley*, Company "B," 17th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *James Quigley*, Company 'B,' 17th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Rice, D. T., on or about the 6th day of November, 1872, and did remain absent until apprehended at or near St. Paul, Minn, and delivered up to the Commanding Officer, Fort Snelling, Minn., on or about February 21st, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Quigley*, Company "B," 17th Infantry, "*To forfeit all pay and allowances that are or may become due him; to be dishonorably discharged and drummed out of the service, and to be confined at hard labor, at such military prison as the Department Commander may designate, for three years, wearing a ball and chain weighing twelve pounds.*"

3d. Private *Joseph Arnhorst*, unassigned, 20th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Joseph Arnhorst*, unassigned, 20th Infantry, having been detailed on extra duty in the Subsistence Department, at Fort Snelling, Minn., and entrusted with the care and sale of subsistence stores, as prescribed by Army Regulations, did misapply or convert to his own use, without any authority, the following articles of public property, more or less, to-wit:

Two (2) cans salmon,	money value,	$0.48
Two (2) bottles fine pickles,	"	1.10
Eight (8) cans tomatoes,	"	1.26
Four (4) cans green corn,	"	1.00
One (1) can green peas,	"	25
Five (5) cans fresh peaches,	"	95
One (1) can fresh pineapple,	"	23
One (1) can preserved quince,	"	58
Two (2) cans preserved peach,	"	87

The total money value of such articles misapplied or converted to his (*Arnhorst's*) own use being six dollars and seventy-two cents, more or less. This at Fort Snelling, Minn., on or about the 1st day of April, 1873."

Specification II.—"In this: that he, Private *Joseph Arnhorst*, unassigned, 20th Infantry, being charged with the care and safe keeping of Subsistence Stores at Fort Snelling, Minn., and being present when an inspection and inventory of said stores was being made by the Post Commander, did, with the intent to cover up his own wrong doing and deceive said Post Commander and the Post Commissary, place a quantity of empty cans, once containing various Subsistence Stores, among the unopened cans of the like stores, and did count them in the presence of the Inspecting Officer as stores for which the Acting Commissary of Subsistence was responsible to the Government. This at Fort Snelling, Minn., on or about the 1st day of April, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Joseph Arnhorst*, unassigned, 20th Infantry, "*To forfeit to the United States, ten* (10) *dollars of his monthly pay, per month, for eight* (8) *months.*"

4th. Private *George Coffin*, Troop "I," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In: that he, Private *George Coffin*, Troop 'I,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert said service at Lebanon, Ky., on the 3d day of February, 1873, and did remain absent until apprehended by Sergeant John Oliver, Troop 'I,' 7th Cavalry, near Jones Fork, Ky., on the 7th day of February, 1873. This at or near the places, and on dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Coffin*, Troop "I," 7th Cavalry, "*To forfeit all pay and allowances that are or may become due him; to be dishonorably discharged and drummed out of the service, and to be confined at hard labor, at such military prison as the Department Commander may designate, for three years, wearing a ball and chain weighing twelve pounds.*"

5th. Farrier *Robert Nelson*, Troop "D," 7th Cavalry.

CHARGE.—"Absence without leave."

Specification.—"In: that he, Private *Robert Nelson*, farrier, Troop 'D,' 7th Cavalry, did absent himself from his troop and post on the evening of the 11th day of January, 1873, without proper authority, and did remain absent until the morning of the 23d day of January, 1873. This at Opelika, Alabama, on or about the 11th day of January, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Farrier *Robert Nelson*, Troop "D," 7th Cavalry, "*To forfeit ten dollars of his monthly pay per month for four months.*"

II...The proceedings, finding and sentence in the foregoing case of Private *Peter O'Donnell*, Company "D," 5th Cavalry, are approved, and the sentence will be duly executed. Fort Snelling, Minn., is designated as the place of confinement.

The proceedings, findings and sentences in the foregoing cases of Private *Joseph Arnhorst*, unassigned, 20th Infantry, and Farrier *Robert Nelson*, Troop "D," 7th Cavalry, are approved, and the sentence will be duly executed. They will be released from confinement and restored to duty.

The proceedings, findings and sentences in the foregoing cases of Privates *George Coffin*, Troop "I," 7th Cavalry, and *James Quigley*, Company "B," 17th Infantry, are approved. The sentences are modified so as to make the dishonorable discharge in each case take effect at the expiration of their respective terms of confinement. As thus modified, the sentences will be duly executed. Fort Snelling, Minn., is designated as the place of their confinement.

III...The General Court Martial which convened at Fort Snelling, Minn., by virtue of paragraph I, Special Orders No. 46, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *Henry Frankenburg*, Company "K," 17th Infantry.
2. Private *John Williams*, Company "F," 22d Infantry.
3. Private *Thomas W. Buckles*, Company "F," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., May 17, 1873.

GENERAL ORDERS No. 40.

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 223, series of 1872, from these headquarters, and of which Captain FRANCIS CLARKE, 22d Infantry, is President, were arraigned and tried:

1st. Private *Henry Frankenburg*, Company "K," 17th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Henry Frankenburg*, Company 'K,' 17th Infantry, did behave himself in a disorderly manner by loud and boisterous language, and blowing a bugle in the company quarters, and when ordered by 1st Sergeant George Betts, Company 'K,' 17th Infantry, to be quiet, did refuse to obey said order, and persisted in blowing said bugle, and replied in an insulting manner, using the following language, to-wit: 'It has come to a God damned pretty pass when a man can't do as he has a mind to, and I should like to know what in hell has got into you,' (meaning 1st Sergeant George Betts); and when ordered by 1st Sergeant George Betts, Company 'K,' 17th Infantry, to go to the post guard-house with Lance Corporal Thomas Kelly, Company 'K,' 17th Infantry, did refuse to go,

saying: 'I will be God damned if I will go to the guard-house,' and did forcibly resist and attempt to strike Lance Corporal Thomas Kelly, while endeavoring to arrest him, and did continue to resist until he was arrested by a guard sent for that purpose. All this in the quarters of Company 'K,' 17th Infantry, and in the presence of the enlisted men of the company, at Cheyenne Agency, D. T., on or about the 17th day of January, 1873."

Specification II.—"In this: that he, Private *Henry Frankenburg*, Company 'K,' 17th U. S. Infantry, did, after being confined in the post guard-house, threaten the life of 1st Sergeant George Betts, Company 'K,' 17th Infantry, in language to-wit: 'I would like to shoot the son of a ———, and I *will* do it yet,' (meaning 1st Sergeant George Betts). This in the post guard-house and in the presence of the guard, at Cheyenne Agency, D. T., on or about the 17th day of Jannary, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Frankenburg*, Company "K," 17th Infantry, "*To forfeit to the United States twelve* (12) *dollars of his monthly pay, per month, for three months.*"

2d. Private *John Williams*, Company "F," 22d Infantry.

CHARGE I.—"Mutinous conduct, to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *John Williams*, Company 'F,' 22d Infantry, being a prisoner in confinement, did enter into an agreement with Private Thomas W. Buckles, Company 'F,' 22d Infantry, a prisoner awaiting trial, to resist the lawful orders of his Commanding Officer, Colonel D. S. Stanley, 22d Infantry, and did willfully and maliciously refuse to parade with the guard at retreat roll-call. All this at Fort Sully, D. T., on or about the 31st day of January, 1873."

Specification II.—"In this: that he, Private *John Williams*, Company 'F,' 22d Infantry, being a prisoner in confinement, did refuse to parade with the guard at retreat roll-call, and after having been ordered by Captain A. H. Goodloe, 22d Infantry, Officer of the Day, to turn out and fall in with the guard, did say, 'I won't do it unless carried,' or words to that effect, and did, while being forced out by the guard, lie down on the floor of the guard-room, and otherwise resist the guard in the execution of their orders. All this at Fort Sully, D. T., on or about the 31st day of January, 1873."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Private *John Williams*, Company 'F,' 22d Infantry, being a prisoner in confinement, did willfully and maliciously disobey the orders of his Commanding Officer, by refusing to parade with the guard at retreat roll-call. All this at Fort Sully, D. T., on or about the 31st of January, 1873."

Specification II.—"In this: that he, Private *John Williams*, Company 'F,' 22d Infantry, being a prisoner in confinement, and having been ordered by Captain A. H. Goodloe, 22d Infantry, Officer of the Day, to turn out and parade with the guard at retreat, did refuse to obey said order, and resist the guard in the execution of their orders. All this at Fort Sully, D. T., on or about the 31st day of January, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Williams*, Company "F," 22d Infantry, "*To forfeit to the United States all pay and allowances now due or to become due him, to be confined in such prison as the Department Commander may direct, for two years, and then to be dishonorably discharged the service of the United States.*"

3d. Private *Thomas W. Buckles*, Company "F," 22d Infantry.

CHARGE I.—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Thomas W. Buckles*, Company 'F,' 22d Infantry, did make, without cause or provocation,

a murderous assault with a stick or sticks of wood upon the person of 1st Sergeant William Schott, Company 'F,' 22d Infantry. All this at Fort Sully, D. T., on or about the afternoon and evening of January 23d, 1873."

Specification II.—"In this: that he, the said Private *Thomas W. Buckles*, Company 'F,' 22d Infantry, did station himself at the door of the orderly room of his company, and remain thereat until 1st Sergeant William Schott came out of said orderly room, in the proper discharge of his duties, and did then and there, with a stick or sticks of wood, assault and strike over the head and shoulders, the said 1st Sergeant Schott, at the same time saying to the said Schott, 'You damned Dutch son of a ———, I'll kill you,' or words to that effect. All this at Fort Sully, D. T., on or about the 23d of January, 1873, between 4 and 6 o'clock P. M."

Specification III.—"In this: that he, Private *Thomas W. Buckles*, Company 'F,' 22d Infantry, did, with malice aforethought, make a murderous assault upon the person of 1st Sergeant William Schott, Company 'F,' 22d Infantry, with a stick of wood, and after striking the said 1st Sergeant Schott with said stick of wood, did pursue with another stick of wood and endeavor to strike the said Schott other blows, until arrested by Sergeants Christopher Goss and Hiram Spomgenburg, Company 'F,' 22d Infantry. All this at Fort Sully, D. T., on or about the 23d January, 1873, between 4 and 6 o'clock P. M."

Specification IV.—"In this: that Private *Thomas W. Buckles*, Company 'F,' 22d Infantry, did waylay and make, with a stick of wood, a murderous attack upon the person of 1st Sergeant William Schott, Company 'F,' 22d Infantry. All this at Fort Sully, D. T., on or about the 23d January, 1873, between 4 and 6 o'clock P. M."

CHARGE II.—"Mutinous conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Thomas W. Buckles*, Company 'F,' 22d Infantry, being a prisoner in confinement, did enter

into an agreement with Private John Williams, Company 'F,' 22d Infantry, a prisoner awaiting sentence, to resist the lawful orders of his Commanding Officer, Colonel D. S. Stanley, 22d Infantry, and did willfully and maliciously refuse to parade with the guard at retreat roll-call. All this at Fort Sully, D. T., on or about the 31st day of January, 1873."

Specification II.—"In this: that he, Private *Thomas W. Buckles*, Company 'F, 22d Infantry, being a prisoner in confinement, did refuse to parade with the guard at retreat roll-call, and after having been ordered by Captain A. H. Goodloe, 22d Infantry, Officer of the Day, to turn out and fall in with the guard, did say, 'I won't do it unless carried,' or words to that effect, and did, while being forced out by the guard, lie down on the floor of the guard-room, and otherwise resist the guard in the execution of their orders. All this at Fort Sully, D. T., on or about the 31st day of January, 1873."

CHARGE III.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Private *Thomas W. Buckles*, Company 'F,' 22d Infantry, being a prisoner in confinement, did willfully and maliciously disobey the orders of his Commanding Officer, by refusing to parade with the guard at retreat roll-call. All this at Fort Sully, D. T., on or about the 31st day of January, 1873."

Specification II.—"In this: that he, Private *Thomas W. Buckles*, Company 'F,' 22d Infantry, being a prisoner in confinement, and having been ordered by Captain A. H. Goodloe, 22d Infantry, Officer of the Day, to turn out and parade with the guard, did refuse to obey said orders, and resist the guard in the execution of their orders. All this at Fort Sully, D. T., on or about the 31st day of January, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty, except the words, 'I'll kill you.' Of the excepted words, 'Not Guilty.'"

Of the 3d *Specification*, "Guilty, except the words, 'Christopher Goss.' Of the excepted words, 'Not Guilty.'"

Of the 4th *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty, except the words, 'did enter into an agreement with Private John Williams, Company 'F,' 22d Infantry, a prisoner awaiting sentence.' Of the excepted words, 'Not Guilty.'"

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE III.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas W. Buckles*, Company "F," 22d Infantry, "*To forfeit to the United States all pay and allowances now due or to become due him; to be confined at hard labor, for three years, at such prison as the General Commanding may direct, and then to be dishonorably discharged the service of the United States.*"

II...The proceedings, finding and sentence in the foregoing case of Private *Henry Frankenburg*, Company "K," 17th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

The proceedings, findings and sentences in the foregoing cases of Privates *John Williams* and *Thomas W. Buckles*, Company "F," 22d Infantry, are approved, and the sentences will be duly executed. Fort Sully, D. T., is designated as the place of their confinement.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

Private *Henry Cutsinger*, Company "K," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 19, 1873.

GENERAL ORDERS No. 41.

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 223, series of 1872, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, was arraigned and tried:—

Private *Henry Cutsinger*, Company "K," 17th Infantry.

CHARGE I.—"Violation of the 23d Article of War."

Specification.—"That Private *Henry Cutsinger*, Company 'K,' 17th Infantry, did advise Private Charles Higgins, Company 'K,' 17th Infantry, to desert the service of the United States. This at Cheyenne Agency, D. T., on or about the fifth day of December, 1872."

CHARGE II.—"Violation of the 38th Article of War."

Specification.—"That Private *Henry Cutsinger*, Company 'K,' 17th Infantry, did sell certain articles of his clothes, to-wit: One (1) woolen blanket to Private James Burns, Company 'K,' 17th Infantry, one (1) woolen blanket to James Cady, a citizen, and one (1) pair of trowsers to Private William J. Schutz, Company 'I,' 17th Infantry. All this at Cheyenne Agency, D. T., on or about the 4th day of December, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Cutsinger*, Company "K," 17th Infantry, "*To forfeit to the United States all pay and allowances for six months, and to be confined at hard labor, in charge of the guard, for the same period.*"

II...In the foregoing case of Private *Henry Cutsinger*, Company "K," 17th Infantry, the proceedings and findings are approved, but in the opinion of the Department Commander, it is far better that the accused should escape punishment than that military law should be brought into contempt by the imposition of so trifling a punishment as that which the Court has affixed in this case to the crime of a violation of the 23d Article of War. The sentence is therefore disapproved. Private *Cutsinger* will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 223, series of 1872, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *Edward Ryan*, Company "F," 6th Infantry.
2. Private *George Goldstein*, Company "A," 6th Infantry.
3. Private *Erastus Glover*, Company "I," 6th Infantry.
4. Private *Samuel J. Harris*, Company "A," 9th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 20, 1873.

GENERAL ORDERS No. 42.

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of paragraph II, Special Orders No. 46, current series, from these Headquarters, and of which Lieutenant Colonel DANIEL HUSTON, Jr., 6th Infantry, is President, were arraigned and tried:—

1st. Private *Edward Ryan*, Company "F," 6th Infantry.

CHARGE.—"Leaving his post, in violation of the 46th Article of War."

Specification.—"In this: that he, Private *Edward Ryan*, Company 'F,' 6th U. S. Infantry, having been regularly mounted as a member of the post guard, and posted as a sentinel over the 'New Stables,' did, without authority, leave his post and enter a room near by, occupied by enlisted men, and there remain until found by the officer of the guard. This at Fort Buford, D. T., on the 4th day of January, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Ryan*, Company "F," 6th Infantry, "*To forfeit to the United States five dollars of his pay for one month.*" The Court is thus lenient in consideration of the fact that the prisoner has already been in confinement at hard labor for three months.

2d. Private *George Goldstein*, Company "A," 6th Infantry.

CHARGE.—"Quitting his post, in violation of the 46th Article of War."

Specification.—"In this: that he, Private *George Goldstein*, Company 'A,' 6th Infantry, being at the time a member of the guard, having been duly posted as a sentinel on post No. 3, did quit his post without being regularly relieved. This at Fort Buford, D. T., on or about the night of November 8th, 1872, between the hours of 11 o'clock P. M. and 1 o'clock A. M."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Goldstein*, Company "A," 6th Infantry, "*To forfeit to the United States five* (5) *dollars of his monthly pay, for one month.*" The Court is thus lenient in

consideration of the fact that the prisoner has already been confined at hard labor five (5) months, and was inexperienced in the duties of a soldier.

3d. Private *Erastus Glover*, Company "I," 6th Infantry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In: that Private *Erastus Glover*, Company 'I,' 6th Infantry, being a member of the guard and duly posted as a sentinel, did quit his post without being regularly relieved. This at Fort Buford, D. T., on or about the 8th day of December, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Erastus Glover*, Company "I," 6th Infantry.

4th. Private *Samuel J. Harris*, Company "A," 9th Infantry.

CHARGE.—"Desertion."

Specification.—"In: that Private *Samuel J. Harris*, Company 'A,' 9th Infantry, a duly enlisted soldier in the service of the United States, did absent himself from and did desert said service on or about the 19th day of September, 1870, and did remain absent until he surrendered himself at Fort Buford, D. T., on or about the 26th day of October, 1872. All this on the days and dates above mentioned."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Samuel J. Harris*, Company "A," 9th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him, except the just dues of the laundress; to be confined at hard labor, at such place as the Commanding General may direct, for the period of three* (3) *years, at the expiration of which time to be dishonorably discharged the service of the United States.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Edward Ryan*, Company "F," and *George Goldstein*, Company "A," 6th Infantry, are approved, and the sentences will be duly executed. They will be released from confinement and restored to duty.

The proceedings, findings and acquittal in the foregoing case of Private *Erastus Glover*, Company "I," 6th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings, findings and sentence in the foregoing case of Private *Samuel J. Harris*, Company "A," 9th Infantry, are approved, and the sentence will be duly executed. Fort Buford, D. T., is designated as the place of confinement.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

Private *Edward Comerford*, Company "A," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 21, 1873.

GENERAL ORDERS No. 43.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph I, Special Orders No. 52, current series from these Headquarters, and of which Captain EDWARD BALL, 2d Cavalry, is President, was arraigned and tried:—

Private *Edward Comerford*, Company "A," 7th Infantry.

CHARGE.—"Violation of the 6th Article of War."

Specification.—"In this: that he, Private *Edward Comerford*, Company 'A,' 7th Infantry, did submit the following letter to his Commanding Officer, Captain D. P. Hancock, 7th Infantry:

'FORT ELLIS, M. T.,
'*August* 24, 1872.

'D. P. HANCOCK,
'*Capt. Com'g Company 'A,' 7th Infantry,*
'*Fort Ellis, M. T.*

'SIR: I have the honor to state that I first enlisted in the U. S. Army in January, 1845, and have served continually since that date, excepting three years and five months immediately succeeding my first enlistment, consequently I am about completing my twenty-fourth (24) year of faithful service.

'The treatment which I have lately received from you has been, if not cruel, to say the least, most ungenerous. Your repeated sarcastical

insults and general demeanor to me, indicate a principle very unlike that which induces men to become old soldiers, and which, in my humble opinion, should not be allied to a graduate of West Point.

'On the 19th of last month I tore off my sergeant's stripes and gave them to you, for which you had me tried on the 30th of the same month, and the result was, as a matter of course, my reduction to the ranks. I thought that the above transaction might have appeased your anger, as it left room for the appointment of some one of your favorites to the position which I had held. However, in that I was mistaken. You still continue to add insult to injury, until patience on my part has ceased to be a virtue. You questioned me a few days ago in relation to my service in the 8th Infantry, and told me that you got me out of a scrape. In reply, I will state that I never, during my five (5) years in that regiment, got into a dishonorable scrape. It is true that I was a member of a battalion of the 8th Infantry, who were surrendered in Texas just after the commencement of the late rebellion, and held as a prisoner of war for a period of twenty-two (22) months, during which time I contracted a disease (black scurvy), the effects of which have rendered my power of mastication quite indifferent, and injured severely my delivery of speech. Now, sir, if you call that a scrape, I unfortunately have to plead guilty. I now have to resort to the only means by which I can lawfully rid myself of your tyranny, by respectfully requesting my discharge, with a view of entering the soldiers' home.

'I will now endeavor to prove by making no further comments on matters which might concern you, that although being poor and badly treated, I still can be generous.

'I can almost anticipate your endorsements. However, I hope to be able to confute any remarks derogatory to my general character, which personal animosity may tempt to dictate.

'My chance of leaving here before winter sets in, depends greatly on early action in this case.

'*I am, sir,*

'*Very respectfully,*

'*Your obedient servant,*

(Signed.) 'EDWARD COMERFORD,

'*Private, Company 'A,' 7th Infantry.*'

and further, when told by Captain D. P. Hancock, 7th Infantry, that the above letter was so disrespectful in tone that it would not be forwarded, did reply: 'I will then send it direct to the Adjutant General,' in a defiant and disrespectful manner. All this at Fort Ellis, M. T., on or about August 24, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, excepting to the words, 'in a defiant and disrespectful manner,' of the excepted words, Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Comerford*, Company "A," 7th Infantry, "*To forfeit to the United States ten dollars per month of his monthly pay for the period of four months.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *Edward Comerford*, Company "A," 7th Infantry, are approved, but upon the recommendation of the Court the sentence is remitted. He will be released from confinement and restored to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *Robert Whitmeyer*, Company "G," 2d Cavalry.
2. Private *Charles Fullerton*, Company "L," 2d Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 22, 1873.

GENERAL ORDERS No. 44.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph I, Special Orders No. 52, current series, from these Headquarters, and of which Captain D. P. HANCOCK, 7th Infantry, is President, were arraigned and tried:

1st. Private *Robert Whitmeyer*, Company "G," 2d Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Robert Whitmeyer*, Company 'G,' 2d Cavalry, did call Corporal Augustus Wagner, Company 'G,' 2d Cavalry, a son-of-a———, on or about the 1st day of January, 1873. This in the company quarters at Fort Ellis, M. T."

Specification II.—"In this: that he, Private *Robert Whitmeyer*, 'G' Company, 2d Cavalry, did strike Corporal Augustus Wagner, Company 'G,' 2d Cavalry, while he (Corporal Wagner) was taking him to the post guard-house, he (Corporal Wagner) being in the proper execution of his office. All this at Fort Ellis, M. T., on or about the first day of January, 1873."

Specification III.—"In this: that he, Private *Robert Whitmeyer*, Company 'G,' 2d Cavalry, did strike Sergeant John R. Nelson, Company 'F,' 2d Cavalry, sergeant of the guard, while in the execution of his duty. All this at Fort Ellis, M. T., on or about the first day of January, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty," but attach no criminality thereto.
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Robert Whitmeyer*, Company "G," 2d Cavalry, "*To be confined in charge of the post guard, and to be kept at hard labor for the period of six* (6) *months.*"

2d. Private *Charles Fullerton*, Company "L," 2d Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Charles Fullerton*, Company 'L,' 2d Cavalry, did assault and strike Sergeant Charles C. Drake, Company 'L,' 2d Cavalry, the said Sergeant Charles C. Drake being then in the proper execution of his duty. This at Fort Ellis, M. T., on or about the 3d day of April, 1873."

Specification II.—"In this: that he, Private *Charles Fullerton*, Company 'L,' 2d Cavalry, did assault and strike Private Sipfle, Com-

pany 'F,' 2d Cavalry, he, Sipfle, being then endeavoring to aid Sergeant Drake, Company 'L,' 2d Cavalry, in the execution of his duty. This at Fort Ellis, M. T., on or about April 3, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Fullerton*, Company "L," 2d Cavalry, "*To be confined at hard labor, in charge of the post guard, for the period of six months, and to forfeit ten dollars of his monthly pay for the same period.*"

II...In the foregoing case of Private *Robert Whitmeyer*, Company "G," 2d Cavalry, the proceedings and findings upon the 1st and 2d specifications, are approved. What opinion the Court intended to express by its finding upon the 3d specification, is not clear. It can hardly be supposed that it intended to say that striking a sergeant of the guard while in the execution of his duty, is not a military crime; and yet that is the strict meaning of the language employed. If the Court was of the opinion that the blow given Sergeant Nelson by the accused, was an accidental one, it should have said so, or, it should have found the accused not guilty of the specification, on the ground that the essential element of malice was wanting. The finding on the third specification is therefore disapproved. The sentence is approved, but, upon the recommendation of seven members of the Court, it is remitted. Private *Whitmeyer* will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Charles Fullerton*, Company "L," 2d Cavalry, are approved, and the sentence will be duly executed.

III...The General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph I, Special Orders No. 52, current series, from these Headquarters, and of which Captain D. P. HANCOCK, 7th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

Private *Arthur Stevens*, Company "B," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., May 23, 1873.

GENERAL ORDERS No. 45.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph II, Special Orders No. 231, series of 1872, from these Headquarters, and of which Captain J. M. J. SANNO, 7th Infantry, is President, was arraigned and tried:

Private *Arthur Stevens*, Company "B," 7th Infantry.

CHARGE I.—"Violation of the 9th Article of War."

Specification.—"In: that he, Private *Arthur Stevens*, Company 'B,' 7th Infantry, did offer violence towards his superior officer, 2d Lieutenant Charles A. Booth, 7th Infantry, being in the execution of his office as officer of the day, by drawing back his clenched fist with the intent to strike the said 2d Lieutenant Charles A. Booth. This at Fort Benton, M. T., on the 6th day of November, 1872."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In: that he, Private *Arthur Stevens*, Company 'B,' 7th Infantry, being a prisoner in charge of the guard, having been ordered by Sergeant Robert A. Miller, Company 'B,' 7th Infantry, he being sergeant of the guard, to come out of the prison-

room of the guard-house, did refuse to obey the said order. This at Fort Benton, M. T., on the 6th day of December, 1872."

Specification II.—"In: that he, Private *Arthur Stevens*, Company 'B,' 7th Infantry, being a prisoner in charge of the guard, did offer violence against, and strike in the face with his clenched fist, Sergeant Robert A. Miller, Company 'B,' 7th Infantry, the said Sergeant Miller being at the time in the performance of his duty as sergeant of the guard. This at Fort Benton, M. T., on the 6th day of December, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Arthur Stevens*, Company "B," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, to be dishonorably dis-*

charged from the military service of the United States, and then to be confined at hard labor, in charge of the guard, for the period of two years, with a ball weighing not less than twenty-four pounds attached to his right leg by a chain three feet long."

II...The proceedings, findings, and sentence in the foregoing case of Private *Arthur Stevens*, Company "B," 7th Infantry, are approved, and the sentence will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Sergeant (late 1st Sergeant) *Arthur J. Smith*, Co. "D," 17th Inf'y.
2. Private *Orlando H. Marsh*, Company "D," 17th Infantry.
3. Private *James S. Duggan*, Company "B," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 24, 1873.

GENERAL ORDERS No. 46.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph II, Special Orders No. 220, series of 1872, from these Headquarters, and of which Lieutenant Colonel WILLIAM P. CARLIN, 17th Infantry, is President, were arraigned and tried:

1st. Sergeant (late 1st Sergeant) *Arthur J. Smith*, Co. "D," 17th Inf'y.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Sergeant (late 1st Sergeant) *Arthur J. Smith*, Company 'D,' 17th Infantry, did feloniously steal, take, and carry away, with intent to convert to his own use and benefit, from the person of 1st Sergeant Alfred F. Funk, Company 'K,' 6th Infantry, the sum of seventy-two (72) dollars and sixty (60) cents, the property of the said 1st Sergeant Alfred F. Funk. This at Fort Stevenson, D. T., on the 14th day of November, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Sergeant, (late 1st Sergeant) *Arthur J. Smith*, Company "D," 17th Infantry.

2d. Private *Orlando H. Marsh*, Company "D," 17th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Private *Orlando H. Marsh*, Company 'D,' 17th Infantry, did, with the intention to desert the service of the United States, feloniously and burglariously break open a government stable, and attempt to steal therefrom a horse belonging to the United States. This at Camp Hancock, D. T., on or about the 20th day of November, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Orlando H. Marsh*, Company "D," 17th Infantry, "*To be confined at hard labor, in charge of a guard, for the period of six months.*"

3d. Private *James S. Duggan,* Company "B," 6th Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this: that Private *James S. Duggan,* Company 'B,' 6th Infantry, being a member of the post guard, did become so much under the influence of intoxicating liquor, as to render him unable to perform his duty. This at Fort McKeen, D. T., on or about the night of November 28, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification,* "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James S. Duggan,* Company "B," 6th Infantry, "*To be confined at hard labor, in charge of a guard, for the period of two* (2) *months.*"

II...The proceedings, findings, and acquittal in the foregoing case of Sergeant (late 1st Sergeant) *Arthur J. Smith,* Company "D," 17th Infantry, are approved. Orders have already been issued for his release from arrest and restoration to duty.

The proceedings in the foregoing case of Private *Orlando H. Marsh,* Company "D," 17th Infantry, are approved, but the evidence in this case leaves room for a reasonable doubt of the prisoner's guilt. To the benefit of this doubt the prisoner is entitled. The findings and sentence are therefore disapproved. Private *Marsh* will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the foregoing case of Pri-

vate *James S. Duggan*, Company "B," 6th Infantry, are approved, but upon the recommendation of the Court, the sentence is remitted. He will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph II, Special Orders No. 220, series of 1872, from these Headquarters, and of which Lieutenant Colonel WILLIAM P. CARLIN, 17th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *Jeremiah Kieley*, Company "C," 6th Infantry.
2. Private *Gottlieb Gruber*, Company "B," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 26, 1873.

GENERAL ORDERS No. 47.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph V, Special Orders No. 47, current series, from these Headquarters, and of which Lieutenant Colonel WILLIAM P. CARLIN, 17th Infantry, is President, were arraigned and tried:

1st. Private *Jeremiah Kieley*, Company "C," 6th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"That Private *Jeremiah Kieley*, Company 'C,' 6th Infantry, did feloniously take, steal and carry, or cause to be feloniously taken, stolen and carried away, one flannel sack coat, lined, the property of Private George W. Crans, of 'C' Company, 6th Infantry, and of the value of two and thirteen one-hundredths ($2.13) dollars, more or less. This at Fort Abraham Lincoln, D. T., on or about the 3d day of February, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Jeremiah Kieley*, Company "C," 6th Infantry, "*To forfeit to the United States his monthly pay for one month, and to be confined at hard labor, in charge of a guard, for the same period.*"

2d. Private *Gottlieb Gruber*, Company "B," 6th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Gottlieb Gruber*, Company 'B,' 6th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Abraham Lincoln, D. T., on or about the 31st day of January, 1873, and did remain absent therefrom until apprehended at or near Edwinton, D. T., on or about February 1st, 1873. All this at or near the places and dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'and did desert,' substituting therefor the words, 'and did absent himself from,' of the excepted portion, Not Guilty."
Of the CHARGE, "Not Guilty," but 'Guilty of absence without leave.'"

SENTENCE.

And the Court does therefore sentence him, Private *Gottlieb Gruber*, Company "B," 6th Infantry, "*To forfeit to the United States his monthly pay for one month, and to be confined at hard labor for the same period, in charge of a guard.*"

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Jeremiah Kieley*, Company "C," and *Gottlieb Gruber*, Company "B," 6th Infantry, are approved, and the sentences will be duly executed.

III...The General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph V, Special Orders No. 47, current series, from these Headquarters, and of which Lieutenant Colonel WILLIAM P. CARLIN, 17th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *Jens Peterson*, Company "H," 7th Infantry.
2. Private *William Lee*, Company "B," 7th Infantry.
3. Private *Michael Morton*, Company "B," 7th Infantry.
4. Private *Andrew J. Sherman*, Company "B," 7th Infantry.
5. Private (late Corporal) *August Schaffer*, Company "I," 7th Inf'y.
6. Private *George W. Black*, Company "E," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., May 28, 1873.

GENERAL ORDERS No. 48.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph I, Special Orders No. 32, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:

1st. Private *Jens Peterson*, Company "H," 7th Infantry.

CHARGE I.—"Drunkenness on duty."

Specification.—"In: that he, Private *Jens Peterson*, Company 'H,' 7th U. S. Infantry, having been detailed on duty as 'kitchen police,' did become drunk. This at Camp Baker, M. T., on or about the 22d day of December, 1872."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In: that he, Private *Jens Peterson*, Company 'H,' 7th U. S. Infantry, did, without provocation, strike Private Von Thianich, Company 'H,' 7th U. S. Infantry, a member of the

post guard. This at Camp Baker, M. T., on or about the 22d day of December, 1872."

Specification II.—"In: that he, Private *Jens Peterson*, Company 'H,' 7th U. S. Infantry, did assault Private Robert H. Sanborn, Company 'H,' 7th U. S. Infantry, with a knife, and with intent to kill or severely injure the said Private Robert H. Sanborn, Company 'H,' 7th U. S. Infantry, without any provocation whatever on the part of the said Private Robert H. Sanborn. This at Camp Baker, M. T., on or about the 22d day of December, 1872."

Specification III.—"In: that he, Private *Jens Peterson*, Company 'H,' 7th U. S. Infantry, having been ordered to the guard-house by Corporal George Middleton, Company 'H,' 7th U. S. Infantry, acting sergeant of the guard, did reply in the following language, *i. e.:* 'I will not go with you, you son-of-a-b——,' and did then attempt to take his musket from him, the said Corporal George Middleton, acting sergeant of the guard, being at the time in the execution of his duty. This at Camp Baker, M. T., on or about the 22d day of December, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty, except the words, 'and with intent to kill or seriously injure the said Private Robert H. Sanborn, Company 'H,' 7th Infantry,' and of the excepted words, Not Guilty."

Of the 3d *Specification*, "Guilty, except the letter 'b,' and the dash following."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Jens Peterson*, Company "H," 7th Infantry, "*To be confined at hard labor, under charge of the guard, at the post where his company may be serving, for the period of six months, and to forfeit to the United States the sum of five dollars per month of his monthly pay for the same period.*"

2d. Private *William Lee*, Company "B," 7th Infantry.

CHARGE.—"Disobedience of orders."

Specification.—"In: that he, Private *William Lee*, Company 'B,' 7th Infantry, in violation of the following regularly published order:

'COMPANY 'B,' 7TH INFANTRY,
'*Fort Benton, M. T., November* 30, 1872.

'COMPANY ORDERS
'No. 23.

'II...No enlisted man of his company will introduce into the post of his company, or keep in his possession, intoxicating liquor of any description.

(Signed.) 'JAMES H. BRADLEY,
'*1st Lieutenant, 7th Infantry,*
'*Commanding Company.*'

did introduce into the post of his company, and did have in his possession, a bottle of whiskey. This at Fort Benton, M. T., on the 10th day of January, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Not Guilty, but 'guilty of conduct prejudicial to good order and military discipline.'"

SENTENCE.

And the Court does therefore sentence him, Private *William Lee*, Company "B," 7th Infantry, "*To be confined at hard labor, in charge of the guard, for the period of five days.*"

3d. Private *Michael Morton*, Company "B," 7th Infantry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In: that Private *Michael Morton*, Company 'B,' 7th Infantry, was found drunk while a member of the post guard. This at Fort Benton, M. T., on or about the 7th day of January, 1873."

CHARGE II.—"Violation of the 99th Article of War."

Specification.—"In: that Private *Michael Morton*, Company 'B,' 7th Infantry, while a member of the post guard, and a sentinel on post, did strike and break several panes of glass and a window sash, in two windows of a set of officers' quarters building at the post. This willfully and maliciously at Fort Benton, M. T., on or about the 7th day of January, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty, except the words, 'and a window sash in two windows,' and the words, 'willfully and maliciously,' and of these excepted words, Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Morton*, Company "B," 7th Infantry, "*To be confined at hard labor, in charge of the guard, for the period of six months.*"

4th. Private *Andrew J. Sherman*, Company "B," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In: that he, Private *Andrew J. Sherman*, Company 'B,' 7th Infantry, being a duly enlisted soldier in the service of the United States, did desert the said service on the 22d day of November, 1872, and did remain absent therefrom until apprehended in the town of Fort Benton, M. T., on the 23d day of November, 1872. This at or near Fort Benton, M. T., on or about the dates specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the word, 'desert,' substituting therefor the words, 'absent himself without leave,' and of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty, but 'Guilty of absence without leave.'"

SENTENCE.

And the Court does therefore sentence him, Private *Andrew J. Sherman*, Company "B," 7th Infantry, "*To forfeit to the United States eight dollars of his monthly pay for the period of one month.*"

5th. Private (late Corporal) *August Schaffer*, Company "I," 7th Inf'y.

CHARGE.—"Violation of the 9th Article of War."

Specification.—"In this: that he, Private (late Corporal) *August Schaffer*, Company 'I,' 7th U. S. Infantry, on being ordered from a barroom by 1st Lieutenant Wm. I. Reed, 7th Infantry, officer of the day, did refuse to go, and did remain in and near the said barroom until the sergeant of the guard was called for by the said Lieutenant Reed, officer of the day. This at Fort Shaw, M. T., on the 24th day of January, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Not Guilty, but 'Guilty of conduct to the prejudice of good order and military discipline.'"

SENTENCE.

And the Court does therefore sentence him, Private (late Corporal) *August Schaffer*, Company "I," 7th Infantry, "*To forfeit to the United States ten dollars per month of his monthly pay for the period of three months, and to be confined at hard labor, in charge of the guard, at the post where his company may be serving, for the same period.*"

6th. Private *George W. Black*, Company "E," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, *George W. Black*, an enlisted soldier in the service of the United States, private of Company 'E,' 7th Infantry, United States Army, did desert the said service from Fort Shaw, M. T., on or about the 24th day of June, 1872, and did remain absent from said service until apprehended at Silver City, M. T., on or about the 29th day of June, 1872."

CHARGE II.—"Violation of the 46th Article of War."

Specification.—"In this: that he, *George W. Black*, private Company 'E,' 7th Infantry, having been duly mounted as a member of the post guard, Fort Shaw, M. T., did desert his post, and leave it before being regularly relieved. This at Fort Shaw, M. T., on or about the 24th day of June, 1872."

CHARGE III.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, *George W. Black*, private Company 'E,' 7th Infantry, did steal and carry away one Springfield breech-loading rifle, the property of the United States, and for which 1st Lieutenant W. I. Reed, 7th Infantry, is responsible. This at Fort Shaw, M. T., on or about the 24th day of June, 1872."

ADDITIONAL CHARGE.—"Desertion."

Specification.—"In this: that he, *George W. Black*, private Company 'E,' 7th U. S. Infantry, a duly enlisted soldier in the service of

the United States, did desert said service on or about the 1st day of October, 1872, and did remain absent until apprehended at Deer Lodge City, M. T., on or about the 8th day of January, 1873. All this at or near Fort Shaw, M. T., on or about the dates above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE III.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

ADDITIONAL CHARGE.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

ADDITIONAL CHARGE.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George W. Black*, Company "E," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, to be dishonorably discharged from the military service of the United States, and then to be confined at hard labor in such penitentiary as the Department Commander may designate, for the period of five years.*"

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Jens Peterson*, Company "H," and *Michael Morton*, Company "B," 7th Infantry, are approved, and the sentence will be duly executed.

In the foregoing case of Private *William Lee*, Company "B," 7th Infantry, the charge is "Disobedience of orders." The specification is the simplest amplification of the charge, setting out only the particular order disobeyed. A finding of guilty of the specification, therefore, compels a finding of guilty of the charge. The latter is the logical sequence of the former, and there is no escape from it; and yet the Court, after a plea of guilty to both charge and specification, finds the accused guilty of the specification, but not guilty of the charge; that is to say—guilty of disobeying an order, and not guilty of disobeying an order. Still further, the Court, while finding the accused not guilty of the charge of disobedience of orders, finds him guilty of conduct prejudicial to good order and military discipline. Now the act of the accused, which is the basis of the charge, unless done in violation of orders, is not conduct prejudicial to good order and military discipline at all. It is not a military offense, unless forbidden by competent authority, and *if* forbidden by competent authority, it is a disobedience of orders. A more illogical finding than this, it has never been the fortune of the reviewing authority to see. To him it appears to be purely arbitrary, unsupported by law, reason, or common sense. It and the sentence are therefore disapproved. Private *Lee* will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Andrew J. Sherman*, Company "B," 7th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

In the case of Private (late Corporal) *August Schaffer*, Company "I," 7th Infantry, the proceedings are disapproved. The finding to the specification is approved, but the finding of the Court to the charge is disapproved. In the opinion of the Commanding General, the offense charged *does* constitute a violation of the 9th Article of War. The sentence is disapproved and set aside. Private (late Corporal) *August Schaffer*, Company "I," 7th Infantry, will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the foregoing case of Private *George W. Black*, Company "E," 7th Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified, the sentence will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of confinement.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 31, 1873.

GENERAL ORDERS
No. 49.

Commanding Officers of companies of Infantry in this Department which are partially or wholly armed with either the Remington, Sharp, or Ward-Burton experimental arms, will at once forward requisitions for such number of the Springfield breech-loading rifle musket—which has been adopted for the military service—as may be required to fully arm the company therewith. On receipt of the Springfield, the experimental arms will be turned over to the Quartermaster's Department for transportation to the nearest arsenal.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 6th Infantry.

G. C. M.

1. Private *Christian Schlegel*, Company "G," 7th Infantry.
2. Private *William S. Brown*, Company "G," 7th Infantry.
3. Private *Charles Strong*, Company "G," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 4, 1873.

GENERAL ORDERS No. 50.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph I, Special Orders No. 32, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:

1st. Private *Christian Schlegel*, Company "G," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In: that Private *Christian Schlegel*, of Company 'G,' 7th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same while his company was en route to Fort Shaw, M. T., on or about the 18th day of May, 1872, and remained absent until apprehended near or at Deer Lodge City, M. T., on or about the 4th day of February, 1873. This near Helena, M. T., on or about the date above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Christian Schlegel*, Company "G," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, to be confined at hard labor in such military prison as the Department Commander may designate, until July 1st*, 1875, *and then to be dishonorably discharged and drummed out of the United States military service.*"

2d. Private *William S. Brown*, Company "G," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *William S. Brown*, Company 'G,' 7th Infantry, having been duly enlisted into the military service of the United States, did desert the same at Camp Baker, M. T., on or about the 6th day of March, 1872, and did remain absent from his company and post until apprehended and brought back, on or about the 1st day of May, 1872."

ADDITIONAL CHARGE.—"Desertion."

Specification.—"In: that Private *William S. Brown*, of Company 'G,' 7th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the said service on or about the 1st day of October, 1872, by escaping from confinement while awaiting trial by a General Court Martial, and did remain absent until apprehended at or near Deer Lodge City, on or about the 4th day of February, 1873. This at Fort Shaw, M. T., on or about the dates above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

ADDITIONAL CHARGE.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

ADDITIONAL CHARGE.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William S. Brown*, Company "G," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, to be confined at hard labor in such military prison as the Department Commander may designate, until March 1st, 1875, and then to be dishonorably discharged from the United States military service.*"

3d. Private *Charles Strong*, Company "G," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In: that he, Private *Charles Strong*, Company 'G,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 19th day of July, 1872, near Helena, M. T., while en route with his company from Fort Shaw to Fort Ellis, M. T., and did remain absent therefrom as a deserter until apprehended at Helena, M. T., on or

about the 25th day of March, 1873. All this at the places and on the dates above specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In: that he, Private *Charles Strong*, Company 'G,' 7th Infantry, did feloniously take, steal, carry away and appropriate to his own use, one (1) breech-loading rifled musket, calibre .50, model of 1868, one (1) cartridge belt, and one hundred (100) centre-primed metallic cartridges, property of the United States, for which Captain George L. Browning, 7th Infantry, was responsible. All this at Helena, M. T., on or about the 19th day of July, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty, except the words and figures, 'one hundred, (100),' and substituting therefor the word 'forty.'"
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Strong*, Company "G," 7th Infantry, "*To forfeit to the United States all pay and*

allowances now due, or that may become due him, to be dishonorably discharged from the United States military service, and then to be confined at hard labor in such penitentiary as the Department Commander may designate, until the 30th day of June, 1878."

II...The proceedings, findings, and sentence in the foregoing case of Private *Christian Schlegel*, Company "G," 7th Infantry, are approved, and the sentence will be duly executed. Fort Shaw, M. T., is designated as the place of confinement.

The proceedings and findings in the foregoing case of Private *William S. Brown*, Company "G," 7th Infantry, are approved, with the exception of the findings under the 2d charge, which are disapproved. The sentence, however, is approved, and will be duly executed. Fort Shaw, M. T., is designated as the place of confinement.

The proceedings, findings, and sentence in the foregoing case of Private *Charles Strong*, Company "G," 7th Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified, the sentence will be duly executed. The Minnesota State Prison, at Stillwater, Minn., is designated as the place of confinement.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Principal Musician *Harry Emmett*, 17th Infantry.
2. Private *Thomas W. Graham*, Company "C," 17th Infantry.
3. Private *Daniel Flynn*, Company "F," 17th Infantry.
4. Private *Richard Kelly*, Company "F," 17th Infantry.
5. Private *James Kelly*, Company "F," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 11, 1873.

GENERAL ORDERS No. 51.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of paragraph I, Special Orders No. 65, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, were arraigned and tried:

1st. Principal Musician *Harry Emmett*, 17th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, *Harry Emmett*, Principal Musician, 17th U. S. Infantry, did go to and enter the quarters of 1st Lieutenant L. M. O'Brien, 17th U. S. Infantry, and did then and there create a disturbance, by drawing a pistol upon Davis Harris, the private servant of said 1st Lieutenant L. M. O'Brien, 17th Infantry, and did threaten to shoot him, the said Davis Harris. This at Fort Rice, D. T., on or about March 8th, 1873."

Specification II.—"In this: that he, *Harry Emmett*, Principal Musician, 17th U. S. Infantry, did draw a pistol upon one Davis Harris, the private servant of 1st Lieutenant L. M. O'Brien, 17th In-

fantry, and did cock the same and threaten to shoot him, the said Davis Harris. This at the quarters of 1st Lieutenant L. M. O'Brien, 17th U. S. Infantry, and on or about the 8th day of March, 1873, at Fort Rice, D. T."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Principal Musician *Harry Emmett*, 17th Infantry, "*To be reduced to the ranks of a private soldier.*"

2d. Private *Thomas W. Graham*, Company "C," 17th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *Thomas W. Graham*, Company 'C,' 17th Infantry, U. S. A., having been regularly mounted as one of the police guard, at Fort Rice, D. T., and regularly detailed in charge of three prisoners, Privates Kavanagh, McLoughlin, and McPold, Company 'B,' 17th Infantry, who, for desertion, had been sentenced to hard labor in charge of the guard, and at this time the three prisoners above named were undergoing sentence, and were sent out to labor in accordance with the requirements of this sentence, and the said Private *Thomas W. Graham*, Company 'C,' 17th Infantry, while sentinel, having charge of the said prisoners above named, working about the post of Fort Rice,

D. T., did permit said prisoners to partake of intoxicating liquor, and did return the said prisoners to the guard-house, about 11 A. M., all of them intoxicated; McPold so drunk as to be unable to stand, and McLoughlin and Kavanagh unfitted for the proper performance of their duties, by the use of intoxicating liquor, the intoxicating liquor causing said prisoners to be noisy and insubordinate. All this at Fort Rice, D. T., on or about the forenoon of February 8th, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas W. Graham*, Company "C," 17th Infantry, "*To forfeit to the United States ten* (10) *dollars per month of his monthly pay for two months.*"

3d. Private *Daniel Flynn*, Company "F," 17th Infantry.

CHARGE.—"Disobedience of orders."

Specification.—"In this: that he, Private *Daniel Flynn*, Company 'F, 17th Infantry, did, without permission from proper authority, and in violation of General Orders No. 8, headquarters Fort Rice, D. T., of February 19th, 1873, visit the quarters of the Indian scouts, between the hours of 9 and 10 o'clock P. M., on the night of the 19th day of March, 1873. This at Fort Rice, D. T., on or about the time above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Daniel Flynn*, Company "F," 17th Infantry, "*To forfeit to the United States five* (5) *dollars of his monthly pay for two months. The Court is thus lenient, in consideration of the good character of the prisoner, and the length of time he has already been confined in the guard-house.*"

4th. Private *Richard Kelly*, Company "F," 17th Infantry.

CHARGE.—"Disobedience of orders."

Specification.—"In this: that the said *Richard Kelly*, a private of Company 'F,' 17th Infantry, being a duly enlisted soldier in the military service of the United States, did visit the vicinity of the Indian Shacks, at Fort Rice, D. T., on or about the night of March 31, 1873. This in disobedience of General Orders No. 8, dated headquarters Fort Rice, D. T., February 19, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Richard Kelly*, "F" Company, 17th Infantry, "*To forfeit to the United States five* (5) *dollars of his monthly pay per month for two months. The Court is thus lenient, in consequence of his previous good character.*"

5th. Private *James Kelly*, Company "F," 17th Infantry.

CHARGE.—"Disobedience of orders."

Specification.—"In this: that the said *James Kelly*, a private of Company 'F,' 17th Infantry, being a duly enlisted soldier in the military service of the United States, did visit the vicinity of the Indian Shacks, at Fort Rice, D. T., on or about the night of March 31, 1873. This in disobedience of General Orders No. 8, dated headquarters Fort Rice, D. T., February 19, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Kelly*, "F" Company, 17th Infantry, "*To forfeit to the United States five* (5) *dollars per month of his monthly pay for two months. The Court is thus lenient, in consequence of his previous good character.*"

II...The proceedings, findings, and sentence in the foregoing case of Principal Musician *Harry Emmett*, 17th Infantry, are approved, and the sentence will be duly executed. He will be released from arrest and restored to duty as a private.

The proceedings, findings, and sentence in the foregoing case of Private *Thomas W. Graham*, Company "C," 17th Infantry, are approved, but, upon the recommendation of the Court, the sentence is remitted. He will be released from confinement and restored to duty.

The proceedings, findings, and sentences in the foregoing cases of Privates *Daniel Flynn*, *Richard Kelly* and *James Kelly*, Company "F," 17th Infantry, are approved, and the sentences will be duly executed. They will be released from confinement and restored to duty.

By Command of Brigadier General Terry.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *Edward Leonhard*, Company "I," 7th Infantry.
2. Private *Charles E. Bowen*, Company "I," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 12, 1873.

GENERAL ORDERS No. 52.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph I, Special Orders No. 32, current series, from these Headquarters, and of which 1st Lieutenant WILLIAM I. REED, 7th Infantry, is President, were arraigned and tried:

1st. Private *Edward Leonhard*, Company "I," 7th Infantry.

CHARGE I.—"Mutiny, in violation of the 7th Article of War."

Specification.—"In this: that he, *Edward Leonhard*, a private of Company 'I,' 7th U. S. Infantry, did begin, or cause and join in a mutiny in Company 'I,' 7th U. S. Infantry, and, in the execution or furtherance of which, he, the said *Leonhard*, did resist the lawful authority of his superiors, 1st Sergeant William Neabuhr and Sergeant Milden H. Wilson, of Company 'I,' 7th U. S. Infantry; and did, with his fist, strike said 1st Sergeant Neabuhr and said Sergeant Wilson, and did repeatedly strike with his fist said Sergeant Wilson; said 1st Sergeant Neabuhr and said Sergeant Wilson being in the execution of their office, endeavoring to quell the disorderly conduct of the said *Leonhard*, and other soldiers. This at Fort Shaw, M. T., on or about the 24th day of December, A. D. 1872."

CHARGE II.—"Violation of the 8th Article of War."

Specification.—"In this: that he, *Edward Leonhard*, a private of Company 'I,' 7th U. S. Infantry, being present at a mutiny in Company 'I,' 7th U. S. Infantry, did fail to use his utmost endeavors to suppress the same. This at Fort Shaw, M. T., on or about the 24th day of December, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Leonhard*, Company "I," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, to be dishonorably discharged from the military service of the United States, and then to be confined at hard labor, in such place as the Commanding General, or the President of the United States, shall designate, for the period of ten years, wearing a ball, weighing not less than twenty-four pounds, attached to his left leg by a chain three feet long.*"

2d. Private *Charles E. Bowen*, Company "I," 7th Infantry.

CHARGE I.—"Mutiny, in violation of the 7th Article of War."

Specification.—"In this: that he, Private *Charles E. Bowen*, a private of Company 'I,' 7th U. S. Infantry, did join in a mutiny in Company 'I,' 7th U. S. Infantry, and, in the execution or furtherance of which, he, the said *Bowen*, did resist the lawful authority of his superior, Sergeant Milden H. Wilson, of Company 'I,' 7th U. S. Infantry, and did, with his fist, strike said Sergeant Wilson a severe blow in the face, said Sergeant Wilson being at the time in the execution of his office, endeavoring to quell the disorderly conduct of the said *Bowen*, and other soldiers. This at Fort Shaw, M. T., on or about the 24th day of December, 1872."

CHARGE II.—"Violation of the 8th Article of War."

Specification.—"In this: that he, *Charles E. Bowen*, a private of Company 'I,' 7th U. S. Infantry, being present at a mutiny in Company 'I,' 7th U. S. Infantry, did fail to use his utmost endeavors to suppress the same. This at Fort Shaw, M. T., on or about the 24th day of December, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles E. Bowen*, Company "I," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, to be dishonorably discharged from the military service of the United States, and then to be confined at hard labor, in such place as the Commanding General, or President of the United States, shall designate, for the period of five years, wearing a ball weighing not less than twenty-four pounds, attached to his left leg by a chain three feet long.*"

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Edward Leonhard* and *Charles E. Bowen*, Company "I," 7th Infantry, are approved, and the sentences will be duly executed. Fort Shaw, M. T., is designated as the place of confinement.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *Edward O'Brien*, Company "E," 22d Infantry.
2. Private *Daniel Blanchard*, Company "F," 22d Infantry.
3. Private *John Harris*, Company "F," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 16, 1873.

GENERAL ORDERS No. 53.

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of paragraph I, Special Orders No. 61, current series, from these Headquarters, and of which Captain C. J. DICKEY, 22d Infantry, is President, were arraigned and tried:

1st. Private *Edward O'Brien*, Company "E," 22d Infantry.

CHARGE.—"Violation of the 46th Article of War."

Specification I.—"In this: that he, Private *Edward O'Brien*, Company 'E,' 22d Infantry, having been duly posted as a sentinel over the hay stacks, was found by 2d Lieutenant J. E. Macklin, 22d Infantry, officer of the day, lying on some hay, asleep. All this at Fort Sully, D. T., on or about the 14th day of March, 1873, between the hours of 12 and 1 o'clock A. M."

Specification II.—"In this: that he, Private *Edward O'Brien*, Company 'E,' 22d Infantry, having been duly posted as a sentinel over the hay stacks, did quit his post and enter the hay yard, and was found there asleep by 2d Lieutenant J. E. Macklin, 22d Infan-

try, officer of the day. All this at Fort Sully, D. T., on or about the 14th day of March, 1873, between the hours of 12 and 1 o'clock A. M."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward O'Brien*, Company "E," 22d Infantry, "*To be confined at hard labor for six months, under charge of the guard, and to forfeit to the United States ten dollars of his monthly pay per month for the same period.*"

2d. Private *Daniel Blanchard*, Company "F," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Daniel Blanchard*, Company 'F,' 22d Infantry, a duly enlisted soldier of the United States Army, did desert the service of the United States, and remain absent therefrom until apprehended and arrested at or near Fort Thompson, D. T., on or about the 22d day of March, 1873. All this at Fort Sully, D. T., on or about the 18th day of March, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Daniel Blanchard*, Company "F," 22d Infantry, "*To forfeit to the United States all pay and allowances now due, or to become due him, to be dishonorably discharged the service of the United States, and to be confined at hard labor, in such prison as the Department Commander may direct, for the period of three years.*"

3d. Private *John Harris*, Company "F," 22d Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Private *John Harris*, Company 'F,' 22d Infantry, did make an assault upon, with intent to violate the person of one Mrs. R. M. Rowell, the servant of 1st Lieutenant Wm. Conway, 22d Infantry. All this at or near Fort Sully, D. T., on or about the evening of April 30, 1873."

Specification II.—"In this: that he, the said Private *John Harris*, Company 'F,' 22d Infantry, did assault, and attempt through force to violate the chastity of one Mrs. R. M. Rowell, the servant of 1st Lieutenant Wm. Conway, 22d Infantry. All this at or near Fort Sully, D. T., on or about the evening of April 30, 1873."

Specification III.—"In this: that he, the said Private *John Harris*, Company 'F,' 22d Infantry, did, in attempting to rape the person of one Mrs. R. M. Rowell, the servant of 1st Lieutenant Wm. Conway, 22d Infantry, tear the clothes off, bodily bruise, and otherwise maltreat the said Mrs. R. M. Rowell, to the prej-

udice of good order and military discipline. All this at Fort Sully, D. T., on or about the evening of April 30, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty, except the words, 'with intent to violate the person,' of the excepted portion, Not Guilty."

Of the 2d *Specification*, "Guilty, except the words, 'and attempt through force to violate the chastity of,' of the excepted words, Not Guilty."

Of the 3d *Specification*, "Guilty, except the words, 'in attempting to rape the person of one Mrs. R. M. Rowell, the servant of 1st Lieutenant William Conway, 22d Infantry,' of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Harris*, Company "F," 22d Infantry, "*To be confined at hard labor, under charge of the guard, for three months, and to forfeit to the United States ten dollars of his monthly pay per month for six months.*"

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Edward O'Brien*, Company "E," and *John Harris*, Company "F," 22d Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings, and sentence in the foregoing case of Private *Daniel Blanchard*, Company "F," 22d Infantry, are approved.

The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified, the sentence will be duly executed. Fort Sully, D. T., is designated as the place of confinement.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 21, 1873.

GENERAL ORDERS
No. 54.

The following is the description of lands reserved for military purposes at Fort Abraham Lincoln, D. T., situated on the west bank of the Missouri river, at or near the Northern Pacific Railroad crossing of the same, as declared by His Excellency, the President of the United States, under date of February 11, 1873, viz.:

"Said military reservation will be the area enclosed within the following described boundary lines: Taking for the initial point the southwest corner of the reservation, on Beaver Dam creek, described in General Orders No. 60, dated headquarters Department of Dakota, Saint Paul, Minn., September 13, 1872, a distance shall be measured off in a north and south line, due south, for a distance of one (1) mile; from that point an east and west line shall be measured off, due east, until it intersects the Missouri river; thence to the mouth of Beaver Dam creek; thence to the point of beginning.

"In addition to the above described reservation, the island in the Missouri river, known as Sibley's Island, is also reserved for military purposes."

"Should it be necessary for the track of the Northern Pacific Railroad to pass over any portion of the above described reservation, the right of way is hereby granted."

All orders, or parts of orders, heretofore issued from any source whatever, conflicting with the limits of the above described reservations, are hereby declared inoperative and void.

The Commanding Officer will cause the initial point to be marked by a stone monument.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

St. Paul, Minn., June 27, 1873.

GENERAL ORDERS
No. 55.

Paragraphs I and II of General Orders, No. 5, current series, from these headquarters, are hereby revoked.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

Sergeant *William Miller*, Company "H," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 28, 1873.

GENERAL ORDERS No. 56.

I...Before a General Court Martial which convened at Fort Pembina, D. T., by virtue of Special Orders No. 42, current series, from these Headquarters, and of which Captain LOYD WHEATON, 20th Infantry, is President, was arraigned and tried:

Sergeant *William Miller*, Company "H," 20th Infantry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that Sergeant *William Miller*, Company 'H,' 20th Infantry, while encamped with an escort of which he was in charge, did knowingly and wittingly aim and fire off, at the person of Arnold Schubert, Company 'H,' 20th Infantry, four (4) chambers of a loaded revolver, with intent to do him (Schubert) bodily harm. This at the post of Fort Stevenson, D. T., August 31, 1872."

Specification II.—"In this: that Sergeant *William Miller*, Company 'H,' 20th Infantry, did knowingly and wittingly discharge the contents of one (1) chamber of a loaded revolver at Sergeant Martin D. Murray, Company 'H,' 6th Infantry, and the party of which he (Murray) was in charge, with the intent of doing bodily harm to one or more of the party, said Sergeant Martin D. Murray

being in the execution of his duty, and under orders to stop the disturbance at the camp of Sergeant *William Miller*. This at the post of Fort Stevenson, D. T., August 31st, 1872."

CHARGE II.—"Violation of the 45th Article of War. Drunk on duty."

Specification.—"In this: that Sergeant *William Miller*, Company 'H,' 20th Infantry, while on duty in charge of an escort for protection of a Government cattle herd (he being the only non-commissioned officer of the escort), did become so drunk as to render him unfit for the proper discharge of his duty. This at the post of Fort Stevenson, D. T., August 31st, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Sergeant *William Miller*, Company "H," 20th Infantry.

II...The proceedings, findings, and acquittal in the foregoing case of Sergeant *William Miller*, Company "H," 20th Infantry, are approved. Orders have already been issued for his release from arrest and restoration to duty.

III...The General Court Martial which convened at Fort Pembina, D. T., by virtue of Special Orders No. 42, current series, from these Headquarters, and of which Captain Loyd Wheaton, 20th Infantry, is President, is hereby dissolved.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 30, 1873.

GENERAL ORDERS No. 57.

Subject to the approval of the proper authorities, all the islands in Meneewaukan or Devil's Lake, are hereby added to the present military reservation of Fort Totten, D. T., as approved by the President, and announced in General Orders No. 55, series of 1869, from these headquarters.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Private *Samuel J. Harris*, Company "A," 9th Infantry.
2. Private *Frederick Roubel*, Battery "A," 3d Artillery.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 1, 1873.

GENERAL ORDERS No. 58.

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of paragraph II, Special Orders No. 46, current series, from these Headquarters, and of which Lieutenant Colonel DANIEL HUSTON, Jr., 6th Infantry, is President, were arraigned and tried:—

1st. Private *Samuel J. Harris*, Company "A," 9th Infantry.

CHARGE.—"Violation of the 22d Article of War."

Specification.—"In: that he, Private *Samuel J. Harris*, 'A' Company, 9th U. S. Infantry, a duly enlisted soldier of the U. S. Army, did enlist in the General Service of the U. S. Army under the name of Charles A. Clifford, without having received a proper discharge from the company and regiment to which he belonged. This at Indianapolis, Indiana, on or about August 18, 1871."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Samuel J. Harris*, Company "A," 9th Infantry, "*To be confined at hard labor, at such place as the Commanding General may direct, for three* (3) *years.*"

2d. Private *Frederick Roubel*, Battery "A," 3d Artillery.

CHARGE I.—"Desertion."

Specification.—"In this: that Private *Frederick Roubel*, Battery 'A,' 3d Artillery, having been duly enlisted as a soldier in the service of the United States, on the 13th day of September, 1870, did desert said service on or about the 3d day of May, 1872, at Fort Monroe, Va., and did so remain absent until he surrendered himself at Fort Stevenson, D. T., on the 1st day of October, 1873. This at the places and on or about the dates above specified."

CHARGE II.—"Violation of the 22d Article of War."

Specification.—"In this: that he, Private *Frederick Roubel*, Battery 'A,' 3d Artillery, having deserted the service of the United States, did enlist himself in the General Service of the United States under the assumed name of Julius Krause, without having been properly discharged from said Battery 'A,' 3d Artillery. This at Baltimore, Md., on or about the 4th day of May, 1872."

CHARGE III.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In: that he, Private *Frederick Roubel*, Battery 'A,' 3d Artillery, did take, steal and carry away, from the quarters of 'F' Company, 6th Infantry, with intent to appropriate to his own use, one (1) Springfield rifle musket, of the value of $21.63, one hundred and five (105) metallic cartridges, of the value of $3.15, one (1) gun-sling, of the value of 34 cents, and one (1) screw-driver, of the value of 17 cents, for which 1st Lieutenant

R. H. Day, 6th Infantry, is accountable. This at Fort Buford, D. T., on or about the 18th day of September, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Frederick Roubel*, Battery "A," 3d Artillery, "*To forfeit to the United States all pay and allowances now due, or to become due, except the just dues of the laundress, to be confined at hard labor at such place as the Department Commander may*

direct, for the period of five (5) years, and then to be dishonorably discharged the service of the United States."

II...In the case of Private *Samuel J. Harris*, Company "A," 9th Infantry, the accused has already been tried and convicted of the crime of desertion. His sentence was approved, and ordered to be carried into execution by General Orders No. 42, current series, from these headquarters, May 20, 1873. The acts charged in the present case are so closely connected with the desertion of which he has already been convicted, that together they form but one substantial offense, and therefore the present case should not have been brought to trial. The proceedings, findings, and sentence are disapproved.

The proceedings, findings, and sentence in the foregoing case of Private *Frederick Roubel*, Battery "A," 3d Artillery, are approved, and the sentence will be duly executed. The Minnesota State Prison, at Stillwater, Minn., is designated as the place of confinement.

III...The General Court Martial which convened at Fort Buford, D. T., by virtue of paragraph II, Special Orders No. 46, current series, from these Headquarters, and of which Lieutenant Colonel DANIEL HUSTON, Jr., is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *James Tydeman*, Troop "H," 7th Cavalry.
2. Private *Frank Cross*, Troop "H," 7th Cavalry.
3. Private *Charles C. Cox*, Troop "H," 7th Cavalry.
4. Private *John Carson*, Troop "B," 7th Cavalry.
5. Private *Andrew Conner*, Troop "A," 7th Cavalry.
6. Private *George Cuthrie*, Troop "B," 7th Cavalry.
7. Private *David H. Wheeler*, Troop "M," 7th Cavalry.
8. Private *William F. Butterfield*, Troop "B," 7th Cavalry.
9. Corporal *Philip McHugh*, Troop "L," 7th Cavalry.
10. Private *Richard Cassidy*, Troop "A," 7th Cavalry.
11. Private *Thomas White*, Troop "B," 7th Cavalry.
12. Private *John Foley*, Troop "K," 7th Cavalry.
13. Private *Henry Black*, Troop "H," 7th Cavalry.
14. Private *John Flanagan*, Troop "F," 7th Cavalry.
15. Private *John Anderson*, Troop "K," 7th Cavalry.
16. Private *James Laird*, Troop "L," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 2, 1873.

GENERAL ORDERS No. 59.

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of paragraph I, Special Orders No. 80, current series, from these Headquarters, and of which Captain V. K. HART, 7th Cavalry, is President, were arraigned and tried:—

1st. Private *James Tydeman*, Troop "H," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *James Tydeman*, 'H' Troop, 7th Cavalry, a duly enlisted soldier in the army of the United States, did desert the same at Camp Sturgis, D. T., on or about the 22d day of April, 1873, and did remain absent until arrested by a guard at Lincoln, D. T., and brought back on April 24, 1873. This at Camp Sturgis, D. T., on or about April 22d, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Tydeman*, "H" Troop, 7th Cavalry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, the just dues of the company tailor and laundress excepted, to be dishonorably discharged the service of the United States, and to be confined at hard labor in such military prison as the Department Commander may direct, for a period of four* (4) *years.*"

2d. Private *Frank Cross*, Troop "H," 7th Cavalry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In: that Private *Frank Cross*, Troop 'H,' 7th Cavalry, being a member of the camp guard, did become drunk while on said guard. This at camp, detachment 7th Cavalry, about ten miles from Yankton, D. T., on or about the 8th day of May, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Frank Cross*, Troop "H," 7th Cavalry, "*To forfeit to the United States ten dollars* ($10.00) *of his monthly pay per month for the period of two* (2) *months, and to be confined at hard labor, in charge of the guard, for the same length of time.*"

3d. Private *Charles C. Cox*, Troop "H," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Charles C. Cox*, Troop 'H,' 7th Cavalry, a duly enlisted soldier in the army of the United States, did desert the same at Camp Sturgis, D. T., on or about the 22d day of April, 1873, and did remain absent until arrested by a guard at Lincoln, D. T., and brought back on April 24, 1873. This at Camp Sturgis, D. T., on or about the date above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles C. Cox*, Troop "H," 7th Cavalry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, the just dues of the company tailor and laundress excepted, to be dishonorably discharged the service of the United States, and to be confined at such military prison as the Department Commander may direct, for a period of four* (4) *years.*"

4th. Private *John Carson*, Troop "B," 7th Cavalry.

CHARGE.—"Drunk on duty."

Specification.—"In this: that he, Private *John Carson*, Troop 'B,' 7th Cavalry, being a member of the guard duly mounted at Camp Sturgis, near Yankton, D. T., on the 1st day of May, 1873, did become so drunk as to be unable to perform his duty as a sentinel. This at Yankton, D. T., on or about the 1st day of May, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Carson*, Troop "B," 7th Cavalry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay per month for a period of two* (2) *months, and to be confined at hard labor, under charge of guard, for the same length of time.*"

5th. Private *Andrew Conner*, Troop "A," 7th Cavalry.

CHARGE.—"Drunk on duty."

Specification I.—"In: that he, Private *Andrew Conner*, Troop 'A,' 7th Cavalry, being duly mounted as a member of the guard at Camp Sturgis, near Yankton, D. T., on the 2d of May, 1873, and having been regularly posted as a sentinel over the public horses of Troop 'A,' 7th Cavalry, he, the said *Conner*, did become so drunk as to be entirely unable to perform the duties of a sentinel. All this at Camp Sturgis, near Yankton, D. T., on or about the 2d of May, 1873."

Specification II.—"In: that he, Private *Andrew Conner*, Troop 'A,' 7th Cavalry, having been regularly detailed for guard by the 1st sergeant of his Troop, at retreat on the 6th of May, 1873, he, the said *Conner*, was so drunk at guard-mount on the morning of the 7th of May, 1873, as to be unable to march on guard. All this at Camp Sturgis, near Yankton, D. T., on or about the dates above specified."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Andrew Conner*, Troop "A," 7th Cavalry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay for a period of four* (4) *months, and to be confined at hard labor, under charge of guard, for the same length of time.*"

6th. Private *George Cuthrie*, Troop "B," 7th Cavalry.

CHARGE I.—"Violation of the 46th Article of War."

Specification.—"In this: that he, Private *George Cuthrie*, Troop 'B,' 7th Cavalry, being a member of the guard duly mounted at Camp Sturgis, near Yankton, D. T., on the 1st day of May, 1873, and having been duly posted as a sentinel at the Quartermaster's storehouse, Yankton, D. T., at or about the hour of 7 o'clock A. M., on the 2d day of May, 1873, did leave said post before he was regularly relieved, and did remain absent therefrom until he was arrested by the corporal of the guard on board the steamboat Miner. This at Yankton, D. T., on or about the dates above specified."

CHARGE II.—"Drunk on duty."

Specification.—"In this: that he, the said Private *George Cuthrie*, Troop 'B,' 7th Cavalry, being a member of the guard duly mounted at Camp Sturgis, near Yankton, D. T., on the 1st day of May, 1873, did become so drunk as to be unable to perform his duty as a sentinel. This at Yankton, D. T., on or about the 2d day of May, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Cuthrie*, Troop "B," 7th Cavalry, "*To forfeit to the United States ten dollars* ($10.00) *of his monthly pay per month for a period of four* (4) *months, and to be confined at hard labor, under charge of guard, for the same length of time.*"

7th. Private *David H. Wheeler*, Troop "M," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In: that Private *David H. Wheeler*, Troop 'M,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Unionville, S. C., on or about the 24th day of February, 1872, and remain absent until he was apprehended at or near Albany, N. Y., on or about the 20th day of September, 1872. Thirty dollars were paid for his apprehension."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *David H. Wheeler*, Troop "M." 7th Cavalry, "*To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due, or that may become due, the just dues of the company tailor and laundress excepted, and to be confined at hard labor, under charge of guard, in such military prison as the Department Commander may direct, for a period of four* (4) *years.*"

8th. Private *William F. Butterfield*, Troop "B," 7th Cavalry.

CHARGE.—" Desertion."

Specification.—" In this: that he, Private *William F. Butterfield*, Troop 'B,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same on the 12th day of March, 1873, and did remain absent until apprehended at Unionville, S. C., in citizen's clothing, on the 13th day of March, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William F. Butterfield*, Troop "B," 7th Cavalry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, the just dues of the company tailor and laundress excepted, to be dishonorably discharged the service of the United States, and to be confined in such military prison as the Department Commander may direct, for a period of four* (4) *years, at hard labor.*"

9th. Corporal *Philip McHugh*, Troop "L," 7th Cavalry.

CHARGE.—" Conduct prejudicial to good order and military discipline."

Specification.—" In this: that he, Corporal *Philip McHugh*, Troop 'L,' 7th Cavalry, having been duly detailed for guard on the 13th day of May, 1873, did fail to appear at guard mounting of the same day. This at or near Yankton Agency, D. T., on or about the date above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *Philip McHugh*, Troop "L," 7th Cavalry, "*To forfeit to the United States five* (5) *dollars of his monthly pay per month for a period of one month.*"

10th. Private *Richard Cassidy*, Troop "A," 7th Cavalry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that he, Private *Richard Cassidy*, Troop 'A,' 7th Cavalry, being a prisoner in confinement in the stable guard-house of his troop, did strike, with a club, Private Andrew Conner, Troop 'A,' 7th Cavalry, the said Conner being at the time a member of the guard, and a sentinel on post. All this at Camp Sturgis, near Yankton, D. T., on or about the 1st day of May, 1873."

CHARGE II.—"Drunk on duty."

Specification.—"In: that he, Private *Richard Cassidy*, Troop 'A,' 7th Cavalry, being a member of the guard duly mounted at Camp Sturgis, D. T., on the 7th of May, 1873, did become so drunk as to be unable to perform the duties of a sentinel. All this at Camp Sturgis, near Yankton, D. T., on or about the 7th of May, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Richard Cassidy*, Troop "A," 7th Cavalry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay per month for a period of two* (2) *months.*"

11th. Private *Thomas White*, Troop "B," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In: that he, Private *Thomas White*, Troop 'B,' 7th Cavalry, a duly enlisted soldier in the army of the United States, did desert the same at Camp Sturgis, near Yankton, D. T., on the 5th day of May, 1873, and did so remain absent until the 8th day of May, 1873, and was then arrested in citizen's clothing, in a saloon in the town of Yankton, D. T. A reward of $30.00 paid for his apprehension."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas White*, Troop "B," 7th Cavalry, "*To forfeit to the United States all pay and allowances now due, or which may hereafter become due him, the just dues of the company tailor and laundress excepted, to be dishonorably discharged the service of the United States, and to be confined at hard labor, under charge of guard, in such military prison as the Department Commander may designate, for a period of four* (4) *years.*"

12th. Private *John Foley*, Troop "K," 7th Cavalry.

CHARGE I.—"Desertion."

Specification.—"In: that Private *John Foley*, Troop 'K,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service on the 11th of May, 1873, and did remain absent until apprehended at Yankton, D. T., on the 13th day of May, 1873. This while en route from Yankton, D. T., to Fort Rice, D. T., on the dates above specified."

CHARGE II.—"Violation of the 50th Article of War."

Specification.—"In: that Private *John Foley*, Troop 'K,' 7th Cavalry, being a member of the camp guard, did leave said guard without urgent necessity, or permission from proper authority. This at camp, detachment 7th Cavalry, about ten miles from Yankton, D. T., on or about the 8th day of May, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty, but guilty of absence without leave."

CHARGE II.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, except the words, 'did desert,' substituting therefor the words, 'did absent himself without leave from, and of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty of desertion, but 'Guilty of absence without leave.'"

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Foley*, 'K' Troop, 7th Cavalry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay per month for a period of six* (6) *months, and to be confined at hard labor, under charge of guard for four* (4) *months.*"

13th. Private *Henry Black*, Troop "H," 7th Cavalry.

CHARGE.—"Disobedience of orders."

Specification.—"In this: that he, Private *Henry Black*, Troop 'H,' 7th Cavalry, when ordered by his superior, Sergeant Matthew Maroney, Troop 'H,' 7th Cavalry, to go for his horse and attend to him, it being the hour for evening stable call, did refuse to

obey said order, making use of the following remark: 'I will not do it,' or words to that effect. This at Chan Le Roch creek, D. T., on or about the 21st day of May, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Black*, Troop "H," 7th Cavalry, "*To be confined at hard labor, under charge of guard, for a period of three* (3) *months, and to forfeit to the United States eight* (8) *dollars of his monthly pay per month for the same length of time.*"

14th. Private *John Flanagan*, Troop "F," 7th Cavalry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In: that Private *John Flanagan*, Troop 'F,' 7th Cavalry, having been properly detailed and duly mounted as a member of the main guard at Camp Sturgis, D. T., did become so drunk as to be unable to perform the duties of a sentinel. This at Camp Sturgis, D. T., on the 4th day of May, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *John Flanagan*, Troop "F," 7th Cavalry.

15th. Private *John Anderson*, Troop "K," 7th Cavalry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In: that Private *John Anderson*, Troop 'K,' 7th Cavalry, being a member of the camp guard, did become drunk while on said guard. This at camp, detachment 7th Cavalry, about ten miles from Yankton, D. T., on or about the 8th day of May, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Anderson*, Troop 'K,' 7th Cavalry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay per month for the period of two* (2) *months.*"

16th. Private *James Laird*, Troop "L," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In: that Private *James Laird*, Troop 'L,' 7th Cavalry, a duly enlisted soldier of the army of the United States, did desert the same at Jackson Barracks, La., on the 26th day of March, 1873, and did remain absent until apprehended in the

city of New Orleans, La , on the 31st day of March, 1873. Thirty dollars reward paid for his apprehension. This at New Orleans, La., on the dates above mentioned."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty, but 'Guilty of absence without leave.'"

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'did desert,' substituting the words, 'did absent himself from,' and of the excepted words, Not Guilty."
Of the CHARGE, "Not Guilty, but 'Guilty of absence without leave.'"

SENTENCE.

And the Court does therefore sentence him, Private *James Laird*, Troop "L," 7th Cavalry, "*To forfeit to the United States his pay as a private soldier for a period of three months.*"

II...The proceedings, findings, and acquittal in the foregoing case of Private *John Flanagan*, Troop "F," 7th Cavalry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings, findings, and sentences in the foregoing cases of Privates *Frank Cross* and *Henry Black*, Troop "H," *John Carson* and *George Cuthrie*, Troop "B," *Andrew Conner*, Troop "A," and *John Foley*, Troop "K," 7th Cavalry, are approved, and the sentences will be duly executed.

The proceedings, findings, and sentences in the foregoing cases of Corporal *Philip McHugh* and Private *James Laird*, Troop "L," Privates *Richard Cassidy*, Troop "A," and *John Anderson*, Troop "K," 7th

Cavalry, are approved, and the sentences will be duly executed. They will be released from arrest, or confinement, and restored to duty.

The proceedings, findings, and sentences in the foregoing cases of Privates *James Tydeman* and *Charles C. Cox*, Troop "H," *William F. Butterfield* and *Thomas White*, Troop "B," and *David H. Wheeler*, Troop "M," 7th Cavalry, are approved. The sentences are modified so as to make the dishonorable discharge, in each case, take effect at the expiration of their terms of confinement. As thus modified, the sentences will be duly executed. The posts where their respective troops may be serving are designated as the place of confinement.

III...The General Court Martial which convened at Fort Sully, D. T., by virtue of paragraph I, Special Orders No. 80, current series, from these Headquarters, and of which Captain V. K. HART, 7th Cavalry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Major and Judge Advocate, U. S. A.

G. C. M.

1. Private *Edward Mahoney*, Company "I," 7th Infantry.
2. Private *Richard Moffitt*, Company "I," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 31, 1873.

GENERAL ORDERS No. 60.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph I, Special Orders No. 32, current series, from these Headquarters, and of which 1st Lieutenant WILLIAM I. REED, 7th Infantry, is President, were arraigned and tried:

1. Private *Edward Mahoney*, Company "I," 7th Infantry.

CHARGE I.—"Mutiny, in violation of the 7th Article of War."

Specification.—"In this: that he, Private *Edward Mahoney*, Company 'I,' 7th U. S. Infantry, being at the time a corporal of said Company 'I,' U. S. Infantry, did join in a mutiny in Company 'I,' 7th U. S. Infantry, and in the execution or furtherance of which, he, the said *Mahoney*, did resist the lawful authority of his superior, Sergeant Milden H. Wilson, of Company 'I,' 7th U. S. Infantry, and did kick said Sergeant Wilson on or about the head, said Sergeant Wilson being at the time in the execution of his office, endeavoring to quell the disorderly conduct of other soldiers. This at Fort Shaw, M. T., on or about the 24th day of December, 1872."

CHARGE II.—"Conduct in violation of the 8th Article of War."

Specification.—"In this: that he, Private *Edward Mahoney*, Company 'I,' 7th U. S. Infantry, being at the time a corporal of said Company 'I,' 7th U. S. Infantry, and being present looking on where a number of soldiers were forcibly resisting the authority of their superiors, 1st Sergeant William Neabuhr and Sergeant Milden H. Wilson, of Company 'I,' 7th Infantry, did fail to use his utmost endeavors to suppress said resistance, but on the contrary, having been ordered by said 1st Sergeant Neabuhr to aid and assist said Sergeant Wilson in his endeavors to arrest one of said soldiers, did kick said Sergeant Wilson in the head. This at Fort Shaw, M. T., on or about the 24th day of December, 1872."

ADDITIONAL CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Edward Mahoney*, Company 'I,' 7th U. S. Infantry, being at the time a corporal of said Company, and present at a mutiny of several soldiers of Company 'I,' 7th Infantry, being ordered by 1st Sergeant William Neabuhr to aid and assist Sergeant Milden H. Wilson, Company 'I,' 7th Infantry, to arrest one of the said soldiers, in order to suppress the said mutiny, did fail to obey said order, and did aid and abet the mutineers, and did say, 'He wanted to see fair play,' or words to that effect. This to the prejudice of good order and military discipline, at Fort Shaw, M. T., on or about the 24th day of December, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

ADDITIONAL CHARGE.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

ADDITIONAL CHARGE.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Edward Mahoney*, Company "I," 7th Infantry.

2. Private *Richard Moffitt*, Company "I," 7th Infantry.

CHARGE I.—"Mutiny, in violation of the 7th Article of War."

Specification.—"In this: that he, *Richard Moffitt*, a private of Company 'I,' 7th U. S. Infantry, did join in a mutiny in Company 'I,' 7th U. S. Infantry, and in the execution or furtherance of which, he, the said *Moffitt*, did resist the lawful authority of his superiors, 1st Sergeant William Neabuhr and Sergeant Milden H. Wilson, of Company 'I,' 7th U. S. Infantry, and Sergeant Samuel Wurtsbaugh, of Company 'D,' 7th U. S. Infantry, and did, with a stick of wood, assault said 1st Sergeant Neabuhr and said Sergeant Wurtsbaugh, who, being in the execution of their office, were endeavoring to suppress the disorderly conduct of the said *Moffitt* and other soldiers. This at Fort Shaw, M. T., on or about the 24th day of December, 1872."

CHARGE II.—"Violation of the 8th Article of War."

Specification.—"In this: that he, *Richard Moffitt*, a private of Company 'I,' 7th U. S. Infantry, being present at a mutiny in Company 'I,' 7th U. S. Infantry, did fail to use his utmost endeavors to suppress the same. This at Fort Shaw, M. T., on or about the 24th day of December, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty of the following words only: 'In this, that he, *Richard Moffitt*, a private of Co. 'I,' 7th U. S. Infantry, did * * * resist the lawful authority of his superior, 1st Sergeant William Neabuhr, * * * of Company 'I,' 7th U. S. Infantry, * * * and did, with a stick of wood, assault said 1st Sergeant Neabuhr. * * * This at Fort Shaw, M. T., on or about the 24th day of December, 1872,' and of the remaining words, Not Guilty."

Of the CHARGE, "Not Guilty, but Guilty of conduct to the prejudice of good order and military discipline."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Richard Moffitt*, Company "I," 7th Infantry, "*To be confined at hard labor in charge of the guard, for the period of six months.*"

II...The proceedings, findings and acquittal in the foregoing case of Private *Edward Mahoney*, Company "I," 7th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Richard Moffitt*, Company "I," 7th Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 18th *Infantry, A. D. C.*

G. C. M.

Private *James H. Stanley*, Company "A," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 1, 1873.

GENERAL ORDERS No. 61.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of paragraph I, Special Orders No. 65, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, was arraigned and tried:—

Private *James H. Stanley*, Company "A," 17th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Private *James H. Stanley*, 'A' Company, 17th Infantry, did, between the hours of retreat and tattoo, being intoxicated, beat an Indian woman, ('Woman-with-no-Ears' by name,) living in the lodge of 'Dog Back,' an Indian scout, until she was insensible. This at or near Fort Rice, D. T., on or about the 4th day of February, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James H. Stanley*, "A" Company, 17th Infantry, "*To forfeit to the United States ten* (10) *dollars per month of his monthly pay for six* (6) *months, and to be confined in the guard-house at hard labor for the same period.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *James H. Stanley*, Company "A," 17th Infantry, are approved, and the sentence will be duly executed.

III...The General Court Martial which convened at Fort Rice, D. T., by virtue of paragraph I, Special Orders No. 65, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 18th Infantry, A. D. C.

G. C. M.

2d Lieutenant *Henry A. Irgens*, 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 4, 1873.

GENERAL ORDERS No. 62.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders Nos. 116 and 120, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, was arraigned and tried :—

2d Lieutenant *Henry A. Irgens*, 7th Infantry.

CHARGE I.—"Neglect of duty, in violation of the 99th Article of War."

Specification.—"In this: that 2d Lieutenant *Henry A. Irgens*, 7th Infantry, commanding Company 'G,' 7th Infantry, did refuse, neglect and fail to sign the muster and pay rolls of his company (3 copies, one copy for the Adjutant General, U. S. Army, and two copies for the Paymaster, U. S. Army,) for the February muster of 1873, when the same were sent to him for signature by his Commanding Officer, Lieutenant Colonel *C. C. Gilbert*, 7th Infantry. This at Fort Shaw, M. T., on or about the 1st day of March, 1873."

CHARGE II.—"Conduct to the prejudice of good order and military discipline, in violation of the 99th Article of War."

Specification I.—"In this: that 2d Lieutenant *Henry A. Irgens*, 7th Infantry, commanding Company 'G,' 7th Infantry, did become un-

fit to perform the duties of his office as Company Commander, on account of excessive use of intoxicating liquors or drugs. All this at Fort Shaw, M. T., on or about the 1st day of March, 1873."

Specification II.—"In this: that 2d Lieutenant *Henry A. Irgens*, 7th Infantry, commanding Company 'G,' 7th Infantry, did become unfit, on account of the excessive use of intoxicating liquors or drugs, to be present as Company Commander at the examination of the muster rolls of his company, ("G,") as required by post circular No. 3, current series, which is in words and figures following, to-wit:

'HEADQUARTERS, FORT SHAW, M. T.,
'*January* 4, 1873.

'CIRCULAR
'No. 3.

'Habitually the company muster rolls will be examined by the Post Commander on the day but one after the muster.

'BY ORDER OF LIEUTENANT COLONEL C. C. GILBERT.
(Signed,) 'HENRY M. BENSON,
'*1st Lieutenant and Adjutant, 7th Infantry,*
'*Post Adjutant.*'

All this at Fort Shaw, M. T., on or about the 2d day of March, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, excepting the word 'refuse,' of the excepted word, Not Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, 2d Lieutenant *Henry A. Irgens*, 7th U. S. Infantry, "*To forfeit one half of his monthly pay per month for six* (6) *months, to be suspended from rank and command during the same period, and be reprimanded by the Department Commander.*"

II...The proceedings, findings, and sentence in the foregoing case of 2d Lieutenant *Henry A. Irgens*, 7th Infantry, are approved. In view of the recommendation to mercy of a majority of the Court, the sentence is mitigated to forfeiture of one half of his monthly pay for one month, and suspension from rank and command for the same period. The reprimand is remitted.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 18th Infantry, A. D. C.

G. C. M.

1. Indian Scout *Hepakakwajidan*, U. S. Army.
2. Indian Scout *Wapacakato*, U. S. Army.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 5, 1873.

GENERAL ORDERS No. 63.

I...Before a General Court Martial which convened at Fort Totten, D. T., by virtue of paragraph VII, Special Orders No. 146, current series, from these Headquarters, and of which Lieutenant Colonel L. C. HUNT, 20th Infantry, is President, were arraigned and tried:—

1st. Indian Scout *Hepakakwajidan*, U. S. Army.

CHARGE.—"Desertion."

Specification.—"In this: that he, Scout *Hepakakwajidan*, detachment of scouts, U. S. Army, having been duly enlisted in the service of the United States, to serve for a period of five years, did desert the same while en route to join the 'Yellowstone Expedition,' and did remain absent until apprehended at or near Fort Totten, D. T., on the 10th day of June, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds him as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Hepakakwajidan*, U. S. A., "*To be dishonorably discharged the service of the United States.*"

2d Indian Scout *Wapacakato*, U. S. Army.

CHARGE.—"Desertion."

Specification.—"In this: that he, Scout *Wapacakato*, detachment of scouts, U. S. A., having been duly enlisted in the service of the United States, to serve for a period of five years, did desert the same, and did remain absent until apprehended and brought back at Fort Totten, D. T., on the 10th day of June, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds him as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Scout *Wapacakato*, U. S. A., "*To be dishonorably discharged the service of the United States.*"

II...The proceedings, findings, and sentence in the foregoing case of Indian Scout *Hepakakwajidan*, U. S. A., are approved. In view of the unanimous recommendation to clemency by the members of the Court, and of the previous good character and conduct of the prisoner, the sentence is remitted. He will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the foregoing case of Indian Scout *Wapacakato*, U. S. A., are approved, and the sentence will be duly executed.

III...The General Court Martial which convened at Fort Totten, D. T., by virtue of paragraph VII, Special Orders No. 146, current series, from these Headquarters, and of which Lieutenant Colonel L. C. HUNT, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 18th *Infantry, A. D. C.*

G. C. M.

1. 1st Sergeant *Edward Smyth*, Company "C," 7th Infantry.
2. Private *Frank Monroe*, Company "G," 7th Infantry.
3. Private *Thomas Leonard*, Company "B," 7th Infantry.
4. Private *James Randall*, Company "B," 7th Infantry.
5. Corporal *Herbert Watkins*, Company "B," 7th Infantry.
6. Sergeant *O. C. Mortson*, Company "G," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 7, 1873.

GENERAL ORDERS No. 64.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph I, Special Orders No. 32, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried :—

1st. 1st Sergeant *Edward Smyth*, Company "C," 7th Infantry.

CHARGE I.—"Violation of the 52d Article of War."

Specification.—"In: that he, 1st Sergeant *Edward Smyth*, Company 'C,' 7th Infantry, while his company was engaged in action with hostile Indians, did order enlisted men under his command, to bring a log, or logs of wood, for the protection of his person from Indian bullets, thereby, without proper cause, endangering the lives of the men so employed, and creating disaffection and demoralization among the enlisted men under his command. This on or about the 14th day of August, 1872, near the Yellowstone river, M. T."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In: that he, 1st Sergeant *Edward Smyth*, Company 'C,' 7th Infantry, while his company was engaged in action with hostile Indians, did order one Private Riley of his company, to leave his position and secure his, 1st Sergeant *Edward Smyth's* money, left in some place at the rear, thereby exposing the person of said Private Riley to danger from Indian bullets, and weakening the effective force of his company for his personal benefit, and upon the refusal of said Private Riley to obey such order, that he, the said 1st Sergeant, did call him, Private Riley aforesaid, 'a coward.' This in the presence of enlisted men of his company, near the Yellowstone river, M. T., on or about the 14th day of August, 1872."

Specification II.—"In: that he, 1st Sergeant *Edward Smyth*, Company 'C,' 7th Infantry, did order a private guard of enlisted men to stand over his tent for his, 1st Sergeant *Edward Smyth's* greater personal safety, from four to seven consecutive nights following the fight with Indians near the Yellowstone river, M. T., on the 14th of August, 1872, thus creating unnecessary alarm and apprehension among the enlisted men of his company. This between the 14th and 21st of August, 1872, at camps in the vicinity of the Yellowstone river, M. T."

Specification III.—"In: that he, 1st Sergeant *Edward Smyth*, Company 'C,' 7th Infantry, did fortify his tent, or cause the same to be fortified or barricaded, in such a manner as to create unnecessary alarm and apprehension in the minds of privates of his company and others, while executing their duty as soldiers. This on or about the 21st of August, 1872, in the vicinity of hostile Indians, near the Yellowstone river, M. T., and while attached to the command known as the Yellowstone Expedition."

Specification IV.—"In: that he, 1st Sergeant *Edward Smyth*, Company 'C,' 7th Infantry, did repeatedly in the presence of privates of his company and others, make use of language calculated to excite their fear and apprehension in a manner detrimental to the

proper discharge of their duty as soldiers. This while in the neighborhood of hostile Indians, near the Yellowstone river, M. T., between the 14th day of August and the 1st day of September, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, Thrown out by the Court upon special plea of the accused in bar of trial.
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the 3d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," 1st Sergeant *Edward Smyth*, Company "C," 7th Infantry.

2d. Private *Frank Monroe*, Company "G," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Frank Monroe*, Company 'G,' 7th Infantry, being a duly enlisted soldier in the service of the United States, did desert said service at Camp Baker, M. T., on or about June 2d, 1871, and did remain absent therefrom until apprehended at or near Diamond City, M. T., on or about the 4th day of June, 1871. This at the time and place above specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Frank Monroe*, Company 'G,' 7th Infantry, did feloniously take, steal and carry away from the company quarters, and appropriate to his own use, one (1) Sharp's carbine, improved, calibre .50, the property of the United States, of the value of $50.00, more or less, and for which Captain George L. Browning, 7th Infantry, is responsible. All this at Camp Baker, M. T., on or about the 2d day of June, 1871."

ADDITIONAL CHARGE.—"Desertion."

Specification.—"In: that Private *Frank Monroe*, of Company 'G,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the third day of March, 1872, and did remain absent until apprehended at or near Deer Lodge City, M. T., on or about February 4, 1873. This at Camp Baker, M. T., on or about the date above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

ADDITIONAL CHARGE.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, with the exception of the word 'desert,' substituting therefor the words, 'absent himself without leave from.'"

Of the CHARGE, "Not Guilty, but Guilty of 'absence without leave.'"

CHARGE II.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

ADDITIONAL CHARGE.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Frank Monroe*, Company "G," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, to be dishonorably discharged from the United States service, and then to be confined at hard labor in such military prison as the Department Commander may designate, for the period of two years.*"

3d. Private *Thomas Leonard*, Company "B," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In: that Private *Thomas Leonard*, Company 'B,' 7th Infantry, when on duty as a member of the post guard, did take off his accoutrements, secrete them, and endeavor to steal away from the post to procure a bottle of liquor, this when he had requested and obtained permission to be absent for a few moments for a necessary purpose. This at Fort Benton, M. T., on or about December 20, 1872."

Specification II.—"In: that Private *Thomas Leonard*, Company 'B,' 7th Infantry, having voluntarily offered to take, and having taken, in order to escape trial for a previous offence, the following oath:

'FORT BENTON, M. T.,
'*December* 23, 1872.

'I, *Thomas Leonard*, private Company 'B,' 7th Infantry, do hereby solemnly and sincerely swear that I will not touch, taste, nor handle any intoxicating liquor during the remainder of my term of enlistment, except it be prescribed for me by the surgeon where I may be serving, and that I will not give nor offer any intoxicating liquor to any other person, for the same period. So help me God.

(Signed,) 'THOMAS LEONARD,
'*Private Company 'B,' 7th Infantry.*'

Did violate the said oath and become drunk. This at Fort Benton, M. T., on or about the 12th day of March, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, Thrown out by the Court upon special plea of the accused in bar of trial.
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty of the following words, 'In: that Private *Thomas Leonard*, Company 'B,' 7th Infantry, when on duty as a member of the post guard, did take off his accoutrements,' but attach no criminality thereto, of the remaining words, Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Thomas Leonard*, Company "B," 7th Infantry.

4th. Private *James Randall*, Company "B," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In: that he, Private *James Randall*, Company 'B,' 7th Infantry, when asked by 2d Lieutenant Charles A. Booth, 7th Infantry, in the execution of his office, what place in the town of Benton, M. T., Private Ferris had visited in his, the said Randall's company, did positively refuse to answer the said question. This at Fort Benton, M. T., on the 15th day of March, 1873."

Specification II.—"In: that he, Private *James Randall*, Company 'B,' 7th Infantry, having been brought into the presence of his Commanding Officer, 1st Lieutenant James H. Bradley, 7th Infantry, and asked by him if he did not intend to reply to the question of 2d Lieutenant Charles A. Booth, 7th Infantry, as to what saloons Private Ferris had that day visited in his company, did fail to give the answer required, and did persist in evasive answers, though warned by his Commanding Officer that the places must be particularly and severally designated. This at Fort Benton, M. T., on the 15th day of March, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty," but attach no criminality thereto.
Of the 2d *Specification*, "Guilty," but attach no criminality thereto.
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *James Randall*, Company "B," 7th Infantry.

5th. Corporal *Herbert Watkins*, Company "B," 7th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that Corporal *Herbert Watkins*, Company 'B,' 7th Infantry, did report to his Commanding Officer, 1st Lieutenant James H. Bradley, 7th Infantry, that he had completed the work assigned to him as corporal of police, which report was false, and intended to deceive his Commanding Officer. This at Fort Benton, M. T., on the 27th day of March, 1873."

CHARGE II.—"Violation of the 45th Article of War."

Specification.—"In: that Corporal *Herbert Watkins*, Company 'B,' 7th Infantry, did, when on duty as corporal of police, become drunk. This at Fort Benton, M. T., on or about March 27, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *Herbert Watkins*, Company "B," 7th Infantry, "*To forfeit to the United States ten dollars of his monthly pay. The Court is thus lenient, because the evidence shows*

that the accused was punished upon the commission of the crime, by his Commanding Officer placing him in confinement in the post guard-house, in the same manner that he would any other offender for breach of discipline."

6th. Sergeant *O. C. Mortson*, Company "G," 7th Infantry.

CHARGE I.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Sergeant *O. C. Mortson*, Company 'G,' 7th U. S. Infantry, being on duty as storekeeper in the Subsistence Department at Camp Baker, M. T., from the 25th day of October, 1870, to the 15th day of May, 1872, did feloniously steal, take and carry away therefrom, and appropriate to his own use, the following subsistence stores, to-wit: Nineteen (19) cans lobsters, valued at $3.16 73-100; twenty-four (24) cans fresh peaches, valued at $5.49 84-100; three (3) cans preserved peaches, valued at $1.75 2-100; sixteen (16) cans fresh pineapples, valued at $4.66 88-100; ninety-six (96) cans tomatoes, valued at $13.99 68-100; twenty-four (24) cans currant jelly, valued at $11.50 8-100; twenty-four (24) cans lima beans, valued at $7.00 32-100; forty-eight (48) cans green peas, valued at $10.61 28-100; fifty-three (53) cans green corn, valued at $11.71 83-100; twenty-four (24) cans cove oysters, valued at $6.00; twelve (12) cans assorted jellies, valued at $5.41 80-100; eighty (80) pounds assorted crackers, valued at $7.20; total value, $88.53 46-100. All this at Camp Baker, M. T., between the 25th day of October, 1870, and the 15th day of May, 1872."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Sergeant *O. C. Mortson*, Company 'G,' 7th U. S. Infantry, being on duty as storekeeper in the Subsistence Department at Camp Baker, M. T., from the 25th day of October, 1870, to the 15th day of May, 1872, was accessory to the stealing, taking and carrying away therefrom, with the intention of appropriating to his own use the following subsistence stores, to-wit: Nineteen (19) cans lobsters, valued at $3.16

73-100; twenty-four (24) cans fresh peaches, valued at $5.49 84-100; three (3) cans preserved peaches, valued at $1.75 2-100; sixteen (16) cans fresh pineapples, valued at $4.66 88-100; ninety-six (96) cans tomatoes, valued at $13.99 68-100; twenty-four (24) cans currant jelly, valued at $11.50 8-100; twenty-four (24) cans lima beans, valued at $7.00 32-100; forty-eight (48) cans green peas, valued at $10.61 28-100; fifty-three (53) cans green corn, valued at $11.71 83-100; twenty-four (24) cans cove oysters, valued at $6.00; twelve (12) cans assorted jellies, valued at $5.41 80-100; eighty (80) pounds assorted crackers, valued at $7.20; total value, $88.53 46-100. All this at Camp Baker, M. T., between the 25th day of October, 1870, and the 15th day of May, 1872."

CHARGE III.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Sergeant *O. C. Morison*, Company 'G,' 7th U. S. Infantry, being on duty as storekeeper in the Subsistence Department at Camp Baker, M. T., from the 25th day of October, 1870, to the 15th day of May, 1872, did allow the following subsistence stores to be taken and carried away from the commissary storehouse, to-wit: Nineteen (19) cans lobsters, valued at $3.16 73-100; twenty-four (24) cans fresh peaches, valued at $5.49 84-100; three (3) cans preserved peaches, valued at $1.75 2-100; sixteeen (16) cans fresh pineapples, valued at 4.66 88-100; ninety-six (96) cans tomatoes, valued at $13.99 68-100; twenty-four (24) cans currant jelly, valued at $11.50 8-100; twenty-four (24) cans lima beans, valued at $7.00 32-100; forty-eight (48) cans green peas, valued at $10.61 28-100; fifty-three (53) cans green corn, valued at $11.71 83-100; twenty-four (24) cans cove oysters, valued at $6.00; twelve (12) cans assorted jellies, valued at $5.41 80-100; eighty (80) pounds assorted crackers, valued at $7.20; total value, $88.53 46 100. All this at Camp Baker, M. T., between the 25th day of October, 1870, and the 15th day of May, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE III.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Sergeant *O. C. Mortson*, Company "G," 7th Infantry.

II...The proceedings, findings, and acquittals in the foregoing cases of 1st Sergeant *Edward Smyth*, Company "C," Sergeant *O. C. Mortson*, Company "G," and Privates *James Randall* and *Thomas Leonard*, Company "B," 7th Infantry, are approved. Orders have already been issued for their release from arrest, or confinement, and restoration to duty. The Court, in passing upon the case of Sergeant *O. C. Mortson*,

Company "G," 7th Infantry, has caused to be spread upon the record the following remarks, in which the Department Commander entirely concurs, viz:—

"The Court respectfully express the opinion that charges ought not to have been preferred in this case for the reason that, although the accused has been acquitted, and there is no particle of evidence to connect him with the evident peculation and fraud committed by some party or parties unknown, still he has been in arrest many months with the dishonorable and degrading charge resting against his character, necessarily affecting it, more or less, in the minds of his comrades and associates, ignorant of any of the circumstances. Great care should be taken in preliminary examinations, and charges should only be preferred when there is some evidence of guilt."

The proceedings, findings, and sentence in the foregoing case of Private *Frank Monroe*, Company "G," 7th Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified, the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement.

The proceedings, findings, and sentence in the foregoing case of Corporal *Herbert Watkins*, Company "B," 7th Infantry, are approved, and the sentence will be duly executed. He will be released from arrest and restored to duty.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

Captain *Seneca H. Norton*, 2d U. S. Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., August 8, 1873.

GENERAL ORDERS
No. 65.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph I, Special Orders No. 117, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, was arraigned and tried:—

Captain *Seneca H. Norton*, 2d U. S. Cavalry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Captain *Seneca H. Norton*, 2d Cavalry, commanding Company 'G,' 2d Cavalry, did detach from the post of Fort Ellis, M. T., to a distance of from twelve to thirty miles, and without proper authority, four or more horses, the property of the United States, and for which he, Captain *Seneca H. Norton*, 2d Cavalry, is responsible, and did use said horses for the furtherance of his (Captain *Seneca H. Norton's*) private interests, in hauling lumber and material for the construction of a quartz mill and appliances belonging thereto, in which mill he, (Captain *Seneca H. Norton*, 2d Cavalry), was at the time pecuniarily interested, at Cherry creek, Montana. This at various times, and for two and three days at a time, between February 18, 1873, on or about, and April 7, 1873. All this at or near Fort Ellis, M. T., between the dates above specified."

Specification II.—"In this: that he, Captain *Seneca H. Norton*, 2d Cavalry, commanding Company 'G,' 2d Cavalry, did detach to a distance of from twelve to thirty miles from the post of Fort Ellis, M. T., without proper authority, four enlisted men, more or less, of Company "G," 2d Cavalry, from their company and proper military duties, and for the furtherance of his (Captain *Seneca H. Norton's*) private interests, in hauling lumber and material for the construction of a quartz mill and the appliances belonging thereto, in which he (Captain *Seneca H. Norton*) was at the time pecuniarily interested, at Cherry creek, Montana. This at various times, and for two and three days at a time, between February 18, 1873, on or about, and April 7, 1873. All this at or near Fort Ellis, M. T., on or about the dates above specified."

CHARGE II.—"Conduct unbecoming an officer and a gentleman."

Specification I.—"In this: that he, Captain *Seneca H. Norton*, 2d Cavalry, commanding Company 'G,' 2d Cavalry, did detach to a distance of from twelve to thirty miles, four enlisted men, more or less, of Company 'G,' 2d Cavalry, from the post of Fort Ellis, M. T., from their companies, and from their proper military duties, and without proper authority, and did employ them in hauling lumber and machinery for the purpose of erecting a quartz mill, in which he (Captain *Seneca H. Norton*) was at the time pecuniarily interested, at Cherry creek, Montana, and did, during their absence, carry them (the four enlisted men, more or less,) on the company morning report of Company 'G,' 2d Cavalry, as present for duty, knowing such report to be false, and intending thereby to deceive his Post Commander, (Captain *D. P. Hancock*, 7th Infantry.) This at various times, and for two and three days at a time, between February 18, 1873, on or about, and April 7, 1873. All this at or near Fort Ellis, M. T., between the dates above specified."

Specification II.—"In this: that he, Captain *Seneca H. Norton*, 2d Cavalry, commanding Company 'G,' 2d Cavalry, did detach to a distance of from twelve to thirty miles from the post of Fort Ellis, M. T., and from Company 'G,' 2d Cavalry, and for the

furtherance of his (Captain *Seneca H. Norton's*) private interest, in hauling lumber and material for the erection of a quartz mill at or near Cherry creek, M. T., in which mill he (Captain *Seneca H. Norton*, 2d Cavalry,) was at the time pecuniarily interested, five horses, more or less, the property of the United States, and belonging to Company 'G,' 2d Cavalry, and for which he, Captain *Seneca H. Norton*, 2d Cavalry, is responsible, the same being furnished him for mounting troops in the military service of the United States, this without proper authority; and did, during the absence of said horses, carry them on the morning report of Company 'G,' 2d Cavalry, as present, knowing such report to be false, and with the intent to deceive his Commanding Officer, (Captain *D. P. Hancock*, 7th Infantry.) This at various times, and for two and three days at a time, between February 18, 1873, on or about, and April 7, 1873. All this at or near Fort Ellis, M. T., between the dates above specified."

Specification III.—"In this: that he, Captain *Seneca H. Norton*, 2d Cavalry, did, on April 4th, 1873, write an official request to the Post Quartermaster, (Captain *L. Cass Forsyth*, A. Q. M., U. S. A.), for a wagon for the use of his (Captain *Seneca H. Norton's*) Company 'G,' 2d Cavalry, in the following words, to-wit:

'FORT ELLIS, M. T.,
'*April* 4, 1873.

'*Post Quartermaster*,
'*Fort Ellis, M. T.*,
'*Sir:*

'I have the honor to request that a wagon be furnished me for the use of my Company, 'G,' 2d Cavalry. The one I have been using has been frequently repaired in the company, is old and worn out. At present it is absent from the post, broken. I desire another serviceable one to replace it.

'*Very respectfully*,
(Signed,) 'S. H. NORTON,
Captain, 2d Cavalry.'

knowing at the same time that he intended to, and did send it, the wagon mentioned in the above request, away from the post

the next morning, April 5, 1873, to a distance of about thirty miles, to be absent until the evening of April 7, 1873, and this without proper authority, and for the furtherance of his, Captain *Seneca H. Norton's* private interests, in hauling lumber and machinery for the purpose of erecting a quartz mill, in which mill he (Captain *Seneca H. Norton*, 2d Cavalry,) was at the time pecuniarily interested, at or near Cherry creek, M. T. All this at or near Fort Ellis, M. T., on or about the dates above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty, excepting the word 'false,' substituting therefor the word 'irregular,' excepting also the words, 'intending thereby to deceive his Post Commander,' of the excepted words, Not Guilty, of the substituted word, Guilty."

To the 2d *Specification*, "Guilty, excepting the word 'false,' substituting therefor the word 'irregular,' excepting also the words, 'and with the intent to deceive his Commanding Officer, (Captain *D. P. Hancock*, 7th Infantry,') of the excepted words, Not Guilty, of the substituted word, Guilty."

To the 3d *Specification*, "Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

Charge II.

Of the 1st *Specification*, "Guilty, except the word 'false,' substituting therefor the word 'incorrect,' and except the words, 'and intending thereby to deceive his Post Commander, (Captain *D. P. Hancock*, 7th Infantry.'")

Of the 2d *Specification*, "Guilty, except the word 'false,' substituting therefor the word 'incorrect,' and except the words, 'and with the intent to deceive his Commanding Officer, (Captain *D. P. Hancock*, 7th Infantry.'")

Of the 3d *Specification*, "Guilty."

Of the Charge, "Not Guilty, but 'Guilty of conduct to the prejudice of good order and military discipline.'"

Sentence.

And the Court does therefore sentence him, Captain *Seneca H. Norton*, 2d U. S. Cavalry, "*To be suspended from rank and command until December* 31, 1873, *and to forfeit fifty* (50) *dollars of his pay per month for six* (6) *months.*"

II...The proceedings, findings, and sentence in the foregoing case of Captain *Seneca H. Norton*, 2d U. S. Cavalry, are approved, and the sentence will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 14, 1873.

GENERAL ORDERS No. 66.

In the matter of the appeal of Corporal *John Boveree* and Private *Thomas Cox*, Company "F," and Corporal *Shuler M. Corson*, Company "D," 7th Infantry, from the action of the reviewing officer, upon the record of a Regimental Court Martial, convened to hear and consider their complaints, under the 35th Article of War, by virtue of Special Orders No. 2, headquarters 7th Infantry, Fort Shaw, M. T., January 29, 1873, the General Court Martial convened at Fort Shaw, M. T., pursuant to Special Orders No. 32, series of 1873, from these headquarters, finds in each case as follows: "The decision of the Regimental Court Martial, on the trial of this case, is borne out by the evidence recorded on the proceedings, and is therefore sustained, and the disapproval thereof by the Regimental Commander, is not sustained."

The proceedings and findings of the Court in the cases of the above named men, are approved. The Company Commanders will make the necessary entry on the next muster rolls, to remove the stoppage against them respectively.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 18th Infantry, A. D. C.

G. C. M.

1. Indian Scout *Kiciwakankan*, alias *Jack Small*, U. S. Army.
2. Indian Scout *Hotanka*, alias *Jack*, U. S. Army.
3. Indian Scout *Eyapaha*, alias *John*, U. S. Army.
4. Indian Scout *Tinazipewawakapi*, alias *Charley*, U. S. Army.
5. Indian Scout *Obotina*, alias *Jim*, U. S. Army.
6. Indian Scout *Tatayuhamanee*, alias *Washington*, U. S. Army.
7. 1st Sergeant *Frederick Keye*, Company "D," 20th Infantry.
8. Private *James Daley*, Company "B," 20th Infantry.
9. Private *Maurice H. Nealy*, Company "F," 20th Infantry.
10. Private *William Shields*, Company "B," 20th Infantry.
11. Private *Eugene F. Rooney*, Company "B," 20th Infantry.
12. Private *Edward McManus*, Company "F," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 15, 1873.

GENERAL ORDERS No. 67.

I...Before a General Court Martial which convened at Fort Wadsworth, D. T., by virtue of paragraph I, Special Orders No. 149, current series, from these Headquarters, and of which Major J. E. YARD, 20th Infantry, is President, were arraigned and tried:—

1st. Indian Scout *Kiciwakankan*, alias *Jack Small*, U. S. Army.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, *Kiciwakankan*, alias *Jack Small*, Indian scout, U. S. A., did maliciously kill one head of cattle, the property of Mr. F. C. Myrick, citizen of Jamestown, Dakota

Territory. All this at or near Fort Seward, D. T., on or about the 4th day of July, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Indian Scout *Kieiwakankan*, alias *Jack Small*, U. S. Army, "*To be confined at hard labor, under charge of the guard, for the period of three* (3) *months, at the post where he properly belongs. The Court is thus lenient in consideration of the semi-civilized state of the prisoner.*"

2d. Indian Scout *Hotanka*, alias *Jack*, U. S. Army.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, *Hotanka*, alias *Jack*, Indian scout, U. S. A., did maliciously kill one head of cattle, the property of Mr. G. J. Goodrich, citizen of Jamestown, Dakota Territory. All this at or near Fort Seward, D. T., on or about the 8th day of June, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Indian Scout *Hotanka*, U. S. Army, "*To be confined at hard labor, under charge of the guard, for the period of three* (3) *months, at the post where he properly belongs. The Court is thus lenient in consideration of the semi-civilized state of the prisoner.*"

3d. Indian Scout *Eyapaha*, alias *John*, U. S. Army.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, *Eyapaha*, alias *John*, Indian scout, U. S. A., did maliciously kill one head of cattle, the property of Mr. G. J. Goodrich, citizen of Jamestown, Dakota Territory. All this at or near Fort Seward, D. T., on or about the 20th day of June, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Indian Scout *Eyapaha*, alias *John*, U. S. A., "*To be confined at hard labor, under charge of the guard, for the period of three* (3) *months, at the post where he properly belongs. The Court is thus lenient in consideration of the semi-civilized state of the prisoner.*"

4th. Indian Scout *Tinazipewawakapi*, alias *Charley*, U. S. Army.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, *Tinazipewawakapi*, alias *Charley*, Indian scout, U. S. Army, did aid and abet Indian Scout *Kiciwakankan*, alias *Jack Small*, U. S. A., in butchering one head of cattle, which the said *Kiciwakankan* had maliciously killed, and which was the property of Mr. F. C. Myrick, citizen of Jamestown, Dakota Territory. All this at or near Fort Seward, D. T., on or about the 4th day of July, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Indian Scout *Tinazipewawakapi*, alias *Charley*, U. S. Army, "*To be confined at hard labor, under charge of the guard, for the period of three* (3) *months, at the post where he properly belongs. The Court is thus lenient in consideration of the semi-civilized state of the prisoner.*"

5th. Indian Scout *Obotina*, alias *Jim*, U. S. Army.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, *Obotina*, alias *Jim*, Indian scout, U. S. A., did aid and abet Indian Scout *Hotanka*, alias *Jack*, U. S. A., in butchering one head of cattle, which he, the said

Hotanka, had maliciously killed, and which was the property of Mr. G. J. Goodrich, citizen of Jamestown, Dakota Territory. All this at or near Fort Seward, D. T., on or about the 8th day of June, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Indian Scout *Obotina*, alias *Jim*, U. S. Army.

6th. Indian Scout *Tatayuhamanee*, alias *Washington*, U. S. Army.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, *Tatayuhamanee*, alias *Washington*, Indian scout, U. S. A., did aid and abet Indian Scout *Hotanka*, alias *Jack*, U. S. A., in butchering one (1) head of cattle, which the said *Hotanka* had maliciously killed, and which was the property of Mr. G. J. Goodrich, citizen of Jamestown, Dakota Territory. All this at or near Fort Seward, D. T., on or about the 8th day of June, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Indian Scout *Tatayuhamanee*, alias *Washington*, U. S. Army.

7th. 1st Sergeant *Frederick Keye*, Company "D," 20th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, 1st Sergeant *Frederick Keye*, Company 'D,' 20th Infantry, when accompanying First Lieutenant W. R. Maize, 20th Infantry, Officer of the Day, on an inspecting tour through 'D' Company's quarters, did fail, in two instances, to precede said officer, for the purpose of opening the doors and commanding attention, he, the sergeant, well knowing this to be a part of his duty, and when the Officer of the Day was about to enter the wash-room of 'D' Company, the aforesaid sergeant did remain in rear of said officer, and neglect to open said door, until directed to do so by the Officer of the Day, when he, the sergeant, obeyed the order, but did so in a marked defiant, disrespectful, and contemptuous manner. This at Fort Wadsworth, D. T., at or about 12 o'clock M., April 4th, 1873."

Specification II.—"In this: that he, 1st Sergeant *Frederick Keye*, Company 'D,' 20th Infantry, when accompanying First Lieutenant W. R. Maize, 20th Infantry, Officer of the Day, on his inspecting tour through 'D' Company's quarters, and after having been informed by the Officer of the Day that he, the sergeant, should precede the Officer of the Day when approaching doors, for the purpose of opening them and commanding attention, and that as a non-commissioned officer, he should do so without being reminded of it, did reply to the Officer of the Day in a defiant, disrespectful and contemptuous manner, as follows: 'I know my duty as well as you know yours,' or words to that effect. This when the Officer of the Day had passed into the wash-room of 'F' Company, 20th Infantry, adjacent, and in such a loud man-

ner as to be intended to be heard. This at Fort Wadsworth, D. T., at or about 12 M., on or about April 4th, 1873."

Specification III.—"In this: that he, 1st Sergeant *Frederick Keye*, Company 'D,' 20th Infantry, having been asked by the Officer of the Day, First Lieutenant W. R. Maize, 20th Infantry, what he, the sergeant, had said in reply to the instructions given him by the Officer of the Day, did reply, 'I said nothing, sir,' he well knowing this statement to be false, and when his own words were quoted to him, and he was accused the second or third time with having used disrespectful language, did acknowledge to having made use of the following reply, 'I know my duty as well as you know yours.' This at Fort Wadsworth, D. T., at or about 12 M. of the 4th of April, 1873."

CHARGE II.—"Violation of the 9th Article of War."

Specification.—"In this: that he, 1st Sergeant *Frederick Keye*, Company 'D,' 20th Infantry, having been ordered by First Lieutenant W. R. Maize, 20th Infantry, Officer of the Day, to retire to his quarters in arrest, immediately, did disobey said order, and when the order was repeated, did neglect and disobey, until the Officer of the Day compelled him to retire to the orderly room of his company, during which time the said sergeant used insolent and unsoldierly language. This in 'D' Company's quarters, at Fort Wadsworth, D. T., on or about the 4th April, at 12 M."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty, but attach no criminality thereto, except the words, 'marked defiant, disrespectful, and contemptuous manner,' of the excepted words, Not Guilty."

Of the 2d *Specification*, "Guilty, substituting the words, 'used language as follows,' in lieu of 'did reply to the Officer of the Day in a defiant, disrespectful, and contemptuous manner.'"

Of the 3d *Specification*, "Not Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty, except the words, 'during which time the said sergeant used insolent and unsoldierly language,' of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

And the Court does therefore sentence him, 1st Sergeant *Frederick Keye*, Company "D," 20th Infantry, "*To be reduced to the ranks, and to forfeit to the United States ten* (10) *dollars per month of his monthly pay for the period of six* (6) *months.*"

8th. Private *James Daley*, Company "B," 20th Infantry.

CHARGE.—"Violation of the 44th Article of War."

Specification.—"In this: that he, Private *James Daley*, Company 'B,' 20th Infantry, having been regularly detailed and warned for guard, did fail to parade with the guard detail of his company, and did absent himself from the place of parade without permission from proper authority, and remained absent until arrested by a patrol sent after him. This at Fort Seward, D. T., on or about the 21st day of June, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Daley*, Company "B," 20th Infantry, "*To forfeit to the United States ten* (10) *dollars per month of his monthly pay, for the period of three* (3) *months, and to be confined at hard labor, in charge of the guard, for the same period.*"

9th. Private *Maurice H. Nealy*, Company "F," 20th Infantry.

CHARGE I.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Maurice H. Nealy*, Company 'F,' 20th Infantry, when on detached service as a member of the cattle escort for the Yellowstone Expedition, did steal, carry away and appropriate to his own use, one (1) pair of slippers, the property of his Commanding Officer, First Lieutenant Wm. R. Maize, 20th Infantry. This at camp near Fort Rice, D. T., on or about June 15th, 1873."

CHARGE II.—"Drunkenness on duty."

Specification.—"In this: that he, Private *Maurice H. Nealy*, Company 'F,' 20th Infantry, having been detailed as a mounted man to assist in crossing certain beef cattle over the Missouri river, did become too drunk to properly perform said duty. This at or near Fort Rice, D. T., on or about June 12th, 1873."

CHARGE III.—"Absence without leave."

Specification.—"In this: that he, Private *Maurice H. Nealy*, Company 'F,' 20th Infantry, after having obtained permission to leave his detachment a few minutes, for the purpose, as he stated, of getting a shot-gun, did remain absent (mounted) until arrested in a drunken condition, by the Commanding Officer, Fort Seward, D. T. This at or near Fort Seward, D. T., on or about June 21, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, except the words, 'did steal and carry away,' of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty, but Guilty of 'conduct to the prejudice of good order and military discipline.'"

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Maurice H. Nealy*, Company "F," 20th Infantry, "*To forfeit to the United States ten* (10) *dollars per month of his monthly pay for the period of six* (6) *months, and to be confined at hard labor, in charge of the guard, at the post where his company may be serving, for the same period.*"

10th. Private *William Shields*, Company "B," 20th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *William Shields*, Company 'B,' 20th Infantry, did become so much under the influence of liquor as to render it necessary to confine him in the guard house on the dates following, to wit: October 26th, 1872, and December 29th, 1872. All this at or near Fort Seward, D. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'December 29th, 1872,' of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Shields*, Company "B," 20th Infantry, "*To forfeit to the United States six* (6) *dollars per month of his monthly pay, for the period of one month.*"

11th. Private *Eugene F. Rooney*, Company "B," 20th Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Eugene F. Rooney,* Company 'B,' 20th U. S. Infantry, did steal one gold lever watch, of the value of one hundred dollars ($100.00), from Abraham J. Slaglille, citizen blacksmith, Quartermaster's Department, Fort Seward, D. T., on or about the night of the 10th day of May, 1873. This at or near Jamestown, D. T., on or about the date above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification,* "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Eugene F. Rooney,* Company "B," 20th Infantry, "*To be confined at hard labor in such penitentiary as the Commanding General may direct, for the period of three* (3) *years; to forfeit to the United States all pay and allowances now due, or to become due, except the just dues of the laundress, and at the expiration of his term of confinement to be dishonorably discharged the service of the United States.*"

12th. Private *Edward McManus,* Company "F," 20th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Private *Edward McManus,* Company 'F,' 20th Infantry, did, without just cause or provocation, as-

sault, kick, and strike about the head and face, Private Daniel Woolner, Company 'D,' 20th Infantry, inflicting bodily injury on said Woolner. This in the public stable at Fort Wadsworth, D. T., on or about the 28th day of February, 1873."

Specification II.—"In this: that he, Private *Edward McManus*, Company 'F,' 20th Infantry, did use the following threatening language to Private Daniel Woolner, Company 'D,' 20th Infantry, viz.: 'If you report me, I'll kill you, you —— —— of an Englishman. I'll kill you, anyhow,' or words to that effect. This in the public stable at Fort Wadsworth, D. T., on or about the 28th day of February, 1873."

Specification III.—"In this: that he, Private *Edward McManus*, Company 'F,' 20th Infantry, did use the following threatening language to Private Charles W. Sofield, Company 'D,' 20th Infantry. 'You little son-of-a——, I'll kill you; you little son-of-a——, I'll run this through your heart,' or words to that effect. This in the public stable at Fort Wadsworth, D. T., on or about the 28th day of February, 1873."

Specification IV.—"In this: that he, Private *Edward McManus*, Company 'F,' 20th Infantry, did use the following threatening language to Private Charles W. Sofield, Company 'D,' 20th Infantry, 'You little son-of-a——, you have been reporting me; if Sergeant Ryan wasn't here, I'd kill you. I'll kill you, anyhow, the first time I catch you outside the stable,' or words to that effect. This in the public stable at Fort Wadsworth, D. T., on or about March 1st, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty, except the words, 'without just cause or provocation,' of the excepted words, Not Guilty."

Of the 2d *Specification*, "Not Guilty."

Of the 3d *Specification*, "Guilty, except the words, 'I'll kill you,' of the excepted words, Not Guilty."

Of the 4th *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward McManus*, Company "F," 20th Infantry, "*To forfeit to the United States ten* (10) *dollars per month of his monthly pay for the period of one* (1) *month.*"

II...The proceedings, findings, and sentences in the foregoing cases of Indian Scouts *Kiciwakankan*, alias *Jack Small*, *Hotanka*, alias *Jack*, *Eyapaha*, alias *John*, and *Tinazipewawakapi*, alias *Charley*, U. S. Army, are approved; but in view of their uniform good conduct since enlistment, the sentences are remitted. They will be released from confinement and restored to duty.

The proceedings, findings, and acquittals in the foregoing cases of Indian Scouts *Obotina*, alias *Jim*, and *Tatayuhamanee*, alias *Washington*, U. S. Army, are approved. Orders have already been issued for their release from confinement and restoration to duty.

The proceedings in the foregoing case of 1st Sergeant *Frederick Keye*, Company "D," 20th Infantry, are approved. In regard to the specification to Charge I, it does not appear satisfactorily from the evidence that the remark of the accused was intended to reach the ears of the Officer of the Day, or of any person other than the speaker himself. The finding on this specification is therefore disapproved. The finding on Charge I is disapproved. The evidence in support of the specification to Charge II is defective, in that it fails to show how long the accused delayed or neglected to obey the order of arrest. The testimony, as it stands, raises a grave doubt as to the intention to disobey the order.

The findings to Charge II and its specification are therefore disapproved. The remainder of the findings are approved. The sentence is disapproved. 1st Sergeant *Frederick Keye*, Company "D," 20th Infantry, will be released from arrest and restored to duty.

The proceedings, findings, and sentences in the foregoing cases of Privates *Edward McManus*, Company "F," *William Shields* and *James Daley*, Company "B," 20th Infantry, are approved, and the sentences will be duly executed. Privates *McManus* and *Shields* will be released from confinement and restored to duty.

In the foregoing case of Private *Maurice H. Nealy*, Company "F," 20th Infantry, the proceedings are approved. In the finding upon the specification to the 1st Charge, certain words are excepted, leaving the specification, as so modified, utterly without sense or meaning. The findings upon Charge I and the specification thereto are therefore disapproved. The remainder of the findings are approved. The sentence is commuted to forfeiture of ten dollars of his pay and confinement at hard labor for one month.

The proceedings, findings, and sentence in the foregoing case of Private *Eugene F. Rooney*, Company "B," 20th Infantry, are approved, and the sentence will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of confinement.

III...The General Court Martial which convened at Fort Wadsworth, D. T., by virtue of paragraph I, Special Orders No. 149, current series, from these Headquarters, and of which Major J. E. Yard, 20th Infantry, is President, is hereby dissolved.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Private *William J. Remmel*, Company "C," 22d Infantry.
2. Private *Walter J. Walsh*, Company "C," 22d Infantry.
3. Private *John H. Lambert*, Company "B," 22d Infantry.
4. Hospital Steward *Herko Koster*, U. S. Army.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 18, 1873.

GENERAL ORDERS No. 68.

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph II, Special Orders No. 137, current series, from these Headquarters, and of which Surgeon J. F. WEEDS, Medical Department, U. S. Army, is President, were arraigned and tried:—

1st. Private *William J. Remmel*, Company "C," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that Private *William J. Remmel*, Company 'C,' 22d Infantry, having been ordered by his superior officer, Captain Joseph Bush, 22d Infantry, to fill his bed-sack for inspection, did willfully neglect to obey said order by absenting himself from his company quarters, and allowed said duty to be performed by another person. All this at Lower Brulé Agency, D. T., on or about the 20th day of April, 1873."

Specification II.—"In this: that, Private *William J. Remmel*, Company 'C,' 22d Infantry, when ordered by Corporal Robert M. Temple, Company 'C,' 22d Infantry, (Corporal Robert M.

Temple being in the execution of his office, in charge of the guard), to carry a log of wood, did reply in a disrespectful and insolent manner, in words to-wit: 'I won't carry that log, I will be tied up first.' All this at Lower Brulé Agency, D. T., on or about the 21st day of April, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William J. Remmel*, Company "C," 22d Regiment, U. S. Infantry, "*To forfeit eight* (8) *dollars of his monthty pay for six months.*"

2d. Private *Walter J. Walsh*, Company "C," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that Private *Walter J. Walsh*, Company 'C,' 22d Infantry, having been ordered repeatedly, and in direct terms, by Corporal David Gemmell, Company 'C,' 22d Infantry, (Corporal Gemmell being in the proper execution of his duty), to shake the dust out of his blanket, did willfully neglect to obey said order, saying in a contemptuous manner: 'If you want the blankets skaken, you can do it yourself,' or words to that effect. This in the presence of enlisted men of Company 'C,' 22d Infantry, with a view to weaken the authority of Cor-

poral Gemmell in the proper discharge of his duty. This at Lower Brulé Agency, D. T., on or about the 22d day of April, 1873."

Specification II.—"In this: that Private *Walter J. Walsh*, Company 'C,' 22d Infantry, when confined by order of the Commanding Officer, did behave himself in a contemptuous, insolent and disrespectful manner towards 1st Sergeant Edward Denning, Company 'C,' 22d Infantry, making use of the following disrespectful and insubordinate language when ordered to carry a log: 'I will carry a log in a ——— ———,' or words to that effect. This in the presence of enlisted men of Company 'C,' 22d Infantry, calculated to weaken the authority of 1st Sergeant Denning, said Sergeant Denning being then and there in the lawful execution of his office. This at Lower Brulé Agency, D. T., on or about the 22d day of April, 1873."

Specification III.—"In this: that Private *Walter J. Walsh*, Company 'C,' 22d Infantry, having been ordered by Corporal Robert M. Temple, Company 'C,' 22d Infantry, (Corporal Temple being in the execution of his office, in charge of the guard), to carry a log, did reply in the following language, to-wit: 'I can't carry it,' and when told by Corporal Temple that he must carry it, did say: 'In that case my answer is the same as *Remmel's*', calculated to convey the meaning that he *would not* carry the log, but would be tied up first. This in the presence of the enlisted men of Company 'C,' 22d Infantry. This at Lower Brulé Agency, D. T., on or about the 22d day of April, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Walter J. Walsh*, Company "C," 22d Regiment, U. S. Infantry, "*To forfeit ten* (10) *dollars a month of his monthly pay for six months.*"

3d. Private *John H. Lambert*, Company "B," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *John H. Lambert*, Company 'B,' 22d Infantry, did, while on furlough, present himself to 1st Lieutenant William Logan, 7th Infantry, recruiting officer at Dubuque, Iowa, and did attempt to deceive said recruiting officer and enlist as a soldier in the General Service of the U. S. Army, before being regularly discharged from his said regiment. This at Dubuque, Iowa, during the spring of 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John H. Lambert*, Company "B," 22d Regiment of U. S. Infantry, "*To be confined at hard labor in charge of the guard, at the station of his company, for the period of four* (4) *months, and to forfeit ten* (10) *dollars of his monthly pay for the same period.*"

4th. Hospital Steward *Herko Koster*, U. S. Army.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Hospital Steward *Herko Koster*, U. S. Army, while on duty as Hospital Steward at Lower Brulé Agency, D. T., did prevent Private Robert Roth, Company 'C,' 22d Infantry, hospital attendant, from performing the duties of said office, when about to clean the dispensary of the Post Hospital at Lower Brulé Agency, D. T., saying to said attendant: 'Let it go; to tell you the God's truth, I don't give a damn for his dispensary,' meaning the dispensary of Acting Assistant Surgeon J. C. Byrnes, U. S. Army, Post Surgeon. This at Lower Brulé Agency, D. T., on or about the 10th day of May, 1873."

Specification II.—"In this: that he, *Herko Koster*, Hospital Steward, U. S. Army, did, when asked by the Post Surgeon, J. C. Byrnes, Acting Assistant Surgeon, U. S. Army, why he had stopped attendant Roth in the performance of his duty, reply that he did not prevent the attendant performing his duties, and that if the Post Surgeon had been so informed, it was a lie, or words to that effect, he, *Koster*, at the same time knowing that the duties had not been performed, and that his statement was a prevarication of the truth. This at Lower Brulé Agency, D. T., on or about the 15th day of May, 1873."

Specification III.—"In this: that he, Hospital Steward *Herko Koster*, U. S. Army, while standing in or near the door of Post Hospital, Lower Brulé Agency, D. T., the morning after seven enlisted men of Company 'C,' 22d Infantry, had deserted, did call out to members of the post guard, in words, to-wit: 'I will give one hundred (100) dollars to see ten (10) more men go, and I will go myself,' or words to that effect. This at Lower Brulé Agency, D. T., on or about the 21st day of May, 1873."

CHARGE II.—"Violation of the 6th Article of War."

Specification I.—"In this: that he, Hospital Steward *Herko Koster*,

U. S. Army, did when reprimanded by the Post Surgeon, J. C. Byrnes, Acting Assistant Surgeon, U. S. Army, for a neglect of duty, reply in an insolent manner, and using violent gestures, 'I want you to put charges against me, and throw me out of the service; that is just what I want,' or words to that effect. This at Lower Brulé Agency, D. T., on or about the 15th day of May, 1873."

Specification II.—"In this: that he, Hospital Steward *Herko Koster*, U. S. Army, did, in a contemptuous manner, while in arrest, make use of the following disrespectful language to the Post Surgeon, J. C. Byrnes, Acting Assistant Surgeon, U. S. Army, when ordered by said Post Surgeon to go to his quarters and close the door, to wit: 'I wont do it; you have given me the limits of the garrison, and I will go where I please,' or words to that effect. This at Lower Brulé Agency, D. T., on or about the 15th day of May, 1873."

CHARGE III.—"Violation of the 23d Article of War."

Specification.—"In this: that he, Hospital Steward *Herko Koster*, U. S. Army, while standing in or near the door of Post Hospital, Lower Brulé Agency, D. T., the morning after seven (7) enlisted men of Company 'C,' 22d Infantry, had deserted, did call out to members of the post guard, in words to wit: 'I will give one hundred (100) dollars to see ten (10) more men go, and I will go myself,' or words to that effect. This at Lower Brulé Agency, D. T., on or about the 21st day of May, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Not Guilty, but 'Guilty of conduct to the prejudice of good order and military discipline.'"

CHARGE III.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Herko Koster*, Hospital Steward, U. S. Army, "*To be dishonorably discharged the service of the United States, and to forfeit all pay and allowances that are or may become due.*"

II...The proceedings, findings, and sentences in the foregoing cases of Hospital Steward *Herko Koster*, U. S. Army, Private *John H. Lambert*, Company "B," and *Walter J. Walsh*, Company "C," 22d Infantry, are approved, and the sentences will be duly executed. Private *Walsh* will be released from confinement and restored to duty.

The proceedings in the foregoing case of Private *William J. Remmel*, Company "C," 22d Infantry, are approved. In the opinion of the De-

partment Commander, the findings are not sustained by the evidence. The findings and sentence are therefore disapproved. Private *Remmel* will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph II, Special Orders No. 137, current series, from these Headquarters, and of which Surgeon J. F. WEEDS, Medical Department, U. S. Army, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Private *Frederick W. Smith*, Company "C," 6th Infantry.
2. Private *Walter Walsh*, Company "H," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 20, 1873.

GENERAL ORDERS No. 69.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph III, Special Orders No. 159, current series, from these Headquarters, and of which Lieutenant Colonel W. P. CARLIN, 17th Infantry, is President, were arraigned and tried:

1st. Private *Frederick W. Smith*, Company "C," 6th Infantry.

CHARGE.—"Desertion."

Specification.—"In: that Private *Frederick W. Smith*, Company 'C,' 6th Infantry, a soldier duly enlisted in the service of the United States, did desert the said service at Fort McKeen, D. T., on the 28th day of July, 1872, and did remain absent until apprehended at Philadelphia, Pa., on or about the 24th day of February, 1873. Thirty dollars paid for his apprehension."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Frederick W. Smith*, Company "C," 6th Infantry, "*To forfeit all pay and allowances that are or may become due him, for twelve months after the promulgation of this sentence, except the just dues of his laundress, to be confined at hard labor, in charge of the guard, for twelve months, and to make good the time lost by desertion.*"

2d. Private *Walter Walsh*, Company "H," 17th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Walter Walsh*, Company 'H,' 17th Infantry, being a duly enlisted soldier in the service of the United States, did desert said service on the night of May 19, 1873, and did remain absent until arrested about twenty-five miles east of Fort Abraham Lincoln, D. T., on the line of the Northern Pacific R. R., on or about the 20th day of May, 1873. This at Fort Abraham Lincoln, D. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Walter Walsh*, Company "H," 17th Infantry, "*To forfeit to the United States all pay and allowances that are or may become due him, for twelve months after the promulgation of this sentence, to be confined at hard labor, in charge of the guard, for twelve months, and to make good the time lost by desertion.*"

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Frederick W. Smith*, Company "C," 6th Infantry, and *Walter Walsh*, Company "H," 17th Infantry, are approved, and the sentences will be duly executed.

III...The General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph III, Special Orders No. 159, current series, from these Headquarters, and of which Lieutenant Colonel W. P. CARLIN, 17th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Private *Francis Ross*, Company "C," 17th Infantry.
2. Private *Eugene LeRand*, Company "C," 17th Infantry.
3. Private *James H. Stanley*, Company "A," 17th Infantry.
4. Private *Harry Emmett*, 17th U. S. Infantry.
5. Private *Charles Smurr*, Company "F," 17th Infantry.
6. Private *Joseph Campbell*, Company "L," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 23, 1873.

GENERAL ORDERS No. 70.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of paragraph II, Special Orders No. 146, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, were arraigned and tried:—

1st. Private *Francis Ross*, Company "C," 17th Infantry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that Private *Francis Ross*, Company 'C,' 17th Infantry, did go to the quarters of Ordnance Sergeant John O'Hara, U. S. A., on or about the night of the 29th of April, 1873, and knock at the door, and when it was opened by Ordnance Sergeant John O'Hara, U. S. A., did assault the said Sergeant O'Hara, striking him with his fist, and knocking him down, and otherwise maltreating him. All this at Fort Rice, D. T., on or about the date above specified."

Specification II.—"In this: that Private *Francis Ross*, Company 'C,' 17th Infantry, did go to the quarters of Ordnance Sergeant John O'Hara, U. S. A., and at a time when the wife of the said Sergeant O'Hara had been recently confined, and did then and there commit a violent assault upon the said Sergeant O'Hara, in consequence thereof, seriously jeopardizing the health of his wife. All this at Fort Rice, D. T., on or about the night of the 29th of April, 1873."

CHARGE II.—"Violation of the 43d Article of War."

Specification.—"In this: that Private *Francis Ross*, Company 'C,' 17th Infantry, was absent from his company quarters after tattoo, without permission from proper authority. All this at Fort Rice, D. T., on or about the night of the 29th of April, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Francis Ross*, Company "C," 17th U. S. Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay for six* (6) *months, and to be confined under charge of the guard, at hard labor, for the same period.*"

2d. Private *Eugene LeRand*, Company "C," 17th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In this: that he, Private *Eugene LeRand*, Company 'C,' 17th Infantry, having been duly mounted as a member of the guard, mounted at Fort Rice, D. T., on or about June 5th, 1873, did become so drunk as to be unfit to perform the duties of a sentinel. This at Fort Rice, D. T., on or about June 5, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Eugene LeRand*, Company "C," 17th U. S. Infantry, "*To forfeit to the United States ten* (10) *dollars of his pay per month for three* (3) *months. The Court is thus lenient in consideration of his having been in confinement two months, and of his previous good character.*"

3d. Private *James H. Stanley*, Company "A," 17th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, *James H. Stanley*, private Company

'A,' 17th Infantry, (a prisoner in the post guard-house at Fort Rice, D. T.,) did willfully and with malicious intent, destroy a quantity of table furniture, the property of Company 'A,' 17th Infantry, viz.: one table spoon and one tin cup, the said articles having been furnished the said *Stanley* to eat his dinner with, April 8th, 1873; the said *Stanley* did fail to produce the said spoon after dinner, when asked for it by Private Thomas Rodgers of said company, the said Rodgers having been sent for the prisoner's dishes. All this at Fort Rice, D. T., on or about the time specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *James H. Stanley*, Company "A," 17th Infantry.

4th. Private *Harry Emmett*, 17th U. S. Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *Harry Emmett*, 17th U. S. Infantry, having allowed Private Charles Kroll, Company 'B,' 17th Infantry, to work as a tailor in his (Private *Emmett's*) room, did maliciously, and without just cause, throw out into the yard in rear of 'A' Company quarters, one sewing machine, one table, and several pairs of pants, belonging to and in charge of said Private Kroll. All this at Fort Rice, D. T., between the hours of 12 M. and 4 P. M., April 12, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, excepting the words, 'did maliciously and without just cause.'"

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'maliciously, and without just cause,' and of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Harry Emmett*, 17th U. S. Infantry, "*To forfeit to the United States one* (1) *dollar of his monthly pay for one month.*"

5th. Private *Charles Smurr*, Company "F," 17th Infantry.

CHARGE I.—"Violation of the 7th Article of War."

Specification.—"In this: that Private *Charles Smurr*, Company 'F,' 17th Infantry, while in the company office of Company 'F,' 17th Infantry, did act in a mutinous conduct, by assaulting and striking in the face Sergeant Simon P. Lauffer, Company 'F,' 17th Infantry, while in the execution of his office, and he, (Private *Smurr*,) by his conduct, did cause a number of the company to come into the company office and see him assaulting Sergeant Lauffer. This at Fort Rice, D T., on or about the 27th day of May, 1873."

CHARGE. II.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *Charles Smurr*, Company 'F,' 17th Infantry, did act in a disorderly manner in his company office, by assaulting and striking in the face, four or five different times, Sergeant Simon P. Lauffer, Company 'F,' 17th Infantry, while he, Sergeant Lauffer, was in the execution of his office. All this at Fort Rice, D. T., after retreat, on the 27th day of May, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Smurr*, Company "F," 17th U. S. Infantry, "*To forfeit to the United States five* (5) *dollars of his monthly pay for one month.*"

6th. Private *Joseph Campbell*, Company "L," 7th Cavalry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In: that Private *Joseph Campbell*, Company 'L,' 7th U. S. Cavalry, did enter a building used as a store-room, and for which Captain James Scully, Assistant Quartermaster, U. S. A., is responsible, and did abstract therefrom the following articles belonging to a Mr. Balerin, trader, accompanying battalion 7th Cavalry, viz.: Two (2) pairs mens' white cotton gloves, four (4) pairs ladies' white cotton hose. This at Fort Rice, D. T., on or about June 20, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Joseph Campbell*, Company "L," 7th U. S. Cavalry.

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Eugene LeRand*, Company "C," *Charles Smurr*, Company "F," and *Harry Emmett*, 17th Infantry, are approved, and the sentences will be duly executed. They will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Francis Ross*, Company "C," 17th Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings, and acquittal in the foregoing case of Private *James H. Stanley*, Company "A," 17th Infantry, are approved.

The proceedings, findings, and acquittal in the foregoing case of Private *Joseph Campbell*, Company "L," 7th Cavalry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Chief Musician *George Gewinner*, 6th Infantry.
2. Private *Hiram Aldrich*, Company "F," 6th Infantry.
3. Private *Charles N. Goldsmith*, Company "F," 6th Infantry.
4. Private *James H. Kent*, Company "E," 6th Infantry.
5. Private *William M. Howard*, Company "E," 6th Infantry.
6. Private *Edward Schultz*, Company "E," 6th Infantry.
7. Private *John Collins*, Company "I," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 30, 1873.

GENERAL ORDERS No. 71.

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of paragraph V, Special Orders No. 138, current series, from these Headquarters, and of which Colonel W. B. HAZEN, 6th Infantry, is President, were arraigned and tried:—

1st. Chief Musician *George Gewinner*, 6th Infantry.

CHARGE.—"Disobedience of orders, in violation of the 9th Article of War."

Specification I.—"In this: that Chief Musician *George Gewinner*, 6th Infantry, having received an order in the following words and figures—

'HEADQUARTERS 6TH INFANTRY,
'*Fort Buford, D. T., March* 18, 1873.

'*Chief Musician George Gewinner,*
'*Band, 6th Infantry.*

'The Commanding Officer directs that you immediately deliver to Principal Musician Henry Hellmich, band, 6th Infantry, all music in your possession, written for the band, that may be needed for practice for the usual Wednesday evening concert.

'Very respectfully,
'Your Obedient Servant,
(Signed,) 'J. F. MUNSON,
'1*st Lieutenant, 6th Infantry,*
'*Adjutant.*'

did disobey said lawful order of his Superior and Commanding Officer, Lieutenant Colonel D. Huston, Jr., 6th Infantry, by positively refusing to deliver up said music to Principal Musician Henry Hellmich, 6th Infantry. This at Fort Buford, D. T., on or about the 18th day of March, 1873."

Specification II.—"In this: that Chief Musician *George Gewinner*, 6th Infantry, having been ordered by his Superior and Commanding Officer, Lieutenant Colonel D. Huston, Jr., 6th Infantry, through 1st Lieutenant J. F. Munson, Adjutant, 6th Infantry, in person, to deliver up to said Lieutenant Munson certain music, for band practice, did disobey said order, and positively refuse to give up said music. This at Fort Buford, D. T., on or about the 18th day of March, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Chief Musician *George Gewinner*, 6th Infantry, "*To forfeit to the United States twenty-five* (25) *dollars of his monthly pay for one* (1) *month.*"

2d. Private *Hiram Aldrich*, Company "F," 6th Infantry.

CHARGE I.—"Leaving his post, in violation of the 46th Article of War."

Specification.—"In: that Private *Hiram Aldrich*, 'F' Company, 6th Infantry, having been duly mounted as a member of the post guard, and posted as a sentinel on No. 3 post, did leave said post without permission from competent authority. This at Fort Buford, D. T., on or about the 15th day of April, 1873."

CHARGE II.—"Violation of the 99th Article of War."

Specification.—"In: that Private *Hiram Aldrich*, 'F' Company, 6th Infantry, having been duly mounted as a member of the post guard, and posted as a sentinel on No. 3 post, did, without being authorized, quit his musket and go ten (10) paces, more or less, therefrom. This at Fort Buford, D. T., on or about the 15th day of April, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Hiram Aldrich*, Company "F," 6th Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay for three* (3) *months, and to be confined at hard labor, under charge of the guard, for the same period.*"

3d. Private *Charles N. Goldsmith*, Company "F," 6th Infantry.

CHARGE I.—"Desertion."

Specification.—"In: that he, Private *Charles N. Goldsmith*, 'F' Company, 6th Infantry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 24th day of April, 1873, and did remain absent therefrom until on or about the 27th day of April, 1873, when he was apprehended at or near Little Muddy Creek, D. T. Thirty dollars ($30.00) reward paid for his apprehension. This at Fort Buford, D. T., on the dates above specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In: that he, Private *Charles N. Goldsmith*, 'F' Company, 6th Infantry, did take, steal and carry away from the quarters of 'F' Company, 6th Infantry, with intent to appropriate to his own use, one (1) Springfield rifle musket, of the value of twenty-one dollars and sixty-eight cents ($21.68), one (1) cartridge box belt plate, of the value of nine cents (9c.), one (1) waist belt, of the value of thirty-six (36) cents, one (1) waist belt plate, of the value of six (6) cents, and twenty (20) rounds metallic cartridges, of the value of one dollar and twenty cents

($1.20), the property of the United States, for which 1st Lieutenant R. H. Day, 6th Infantry, is accountable. This at Fort Buford, D. T., on or about the 24th day of April, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles N. Goldsmith*, Company "F," 6th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due, except the just dues of the laundress, to be confined at hard labor, at such place as the Department Commander may direct, for five* (5) *years, and then to be dishonorably discharged.*"

4th. Private *James H. Kent*, Company "E," 6th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *James H. Kent*, 'E' Company, 6th Infantry, a duly enlisted soldier in the service of the United

States, did desert said service on the 9th day of May, 1872, at Fort Hays, Kansas, and did remain absent until apprehended at Springfield, Illinois, on or about the 25th April, 1873. This at Fort Hays, Kansas, on or about the dates above specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In: that he, Private *James H. Kent*, 'E' Company, 6th Infantry, did feloniously take, steal and carry away, for his own use and benefit, one cartridge box, one cartridge box belt, one cartridge box belt plate, one bayonet scabbard, one waist belt, one waist belt plate, forty rounds centre primed metallic cartridges, one gun sling, one screw driver, one tompion, one canteen, one haversack, one knapsack, one hat eagle, two bugles, two letters, two numbers, and one pair of metallic scales, to the money value of $7.18, the property of the United States, and for which 1st Lieutenant W. H. H. Crowell, 6th Infantry, was responsible. All this at Fort Hays, Kansas, on or about the 9th day of May, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James H. Kent*, "E" Company, 6th Infantry, "*To forfeit to the United States all pay and allowances that are or may become due him, except the just dues of the laundress, to be confined at hard labor, at such place as the Department Commander may direct, for three* (3) *years, and then to be dishonorably discharged.*"

5th. Private *William M. Howard*, Company "E," 6th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *William M. Howard*, 'E' Company, 6th Infantry, a duly enlisted soldier in the service of the United States, did desert said service on the 10th day of March, 1872, at Fort Dodge, Kansas, and did remain absent until apprehended at Springfield, Illinois, on or about the 20th of April, 1873. This at Fort Dodge, Kansas, on or about the dates above specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *William M. Howard*, 'E' Company, 6th Infantry, did feloniously take, steal and carry away, for his own use and benefit, one Springfield breech-loading rifled musket, calibre .50, complete, one cartridge box plate, one waist belt, forty rounds centre primed metallic cartridges, one gun sling, one screw driver, one tompion, one canteen, one haversack, one knapsack, two hat bugles, two numbers, two letters, one eagle, one mosquito bar, and half a shelter tent, to the money value of $58.85, the property of the United States, and for which 1st Lieutenant W. H. H. Crowell, 6th Infantry, was responsible. All this at Fort Dodge, Kansas, on or about the 10th of March, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William M. Howard*, Company "E," 6th Infantry, "*To forfeit to the United States all pay and allowances now due, or to become due, except the just dues of the laundress, to be confined at hard labor, at such place as the Department Commander may direct, for the period of five* (5) *years, and then to be dishonorably discharged the service of the United States.*"

6th. Private *Edward Schultz*, Company "E," 6th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that Private *Edward Schultz*, 'E' Company, 6th Infantry, a duly enlisted soldier in the service of the United States, did desert from said service on or about the 24th day of April, 1873, and did remain absent until apprehended and delivered to the proper authorities at Fort Buford, D. T., on the

28th day of April, 1873. $30.00 paid for his apprehension. This at Fort Buford, D. T., on or about the dates above specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Edward Schultz*, 'E' Company, 6th Infantry, did take, steal, and unlawfully and feloniously carry away, the following ordnance and ordnance stores, the property of the United States, and for which 1st Lieutenant W. H. H. Crowell, 6th Infantry, is responsible, viz.: one Sharp's breech-loading rifled musket, model 1870, calibre .50, one gun sling, and twenty rounds of centre-primed metallic cartridges, calibre .50, more or less. This at Fort Buford, D. T., on or about the 24th day of April, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Schultz*, "E" Company, 6th Infantry, "*To forfeit to the United States all pay and allowances that are or may become due, to be confined at hard labor for five (5) years, at such place as the Department Commander may direct, and then to be dishonorably discharged.*"

7th. Private *John Collins*, Company "I," 6th Infantry.

CHARGE.—"Desertion."

Specification I.—"In this: that Private *John Collins*, Company 'I,' 6th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at or near Sioux City, Iowa, on May 13, 1872, and did remain so absent until apprehended at or near Cherokee, Iowa, on or about May 22, 1872. Thirty dollars reward paid for his apprehension."

Specification II.—"In this: that Private *John Collins*, Company 'I,' 6th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at or near Yankton, D. T., on or about June 2d, 1872, and did remain so absent until apprehended at or near Chicago, Ills., on or about October 9, 1872. Thirty dollars reward paid for his apprehension. All this on or about the dates, and at or near the places, above specified."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Collins*, Company "I," 6th Infantry, "*To forfeit to the United States all pay and allowances that are or may become due him, except the just dues of the laundress, to be confined at hard labor, at such place as the Department Commander may direct, for five (5) years, and then to be dishonorably discharged.*"

II...The proceedings in the foregoing case of Chief Musician *George Gewinner*, band, 6th Infantry, are approved. This case presents a peculiar difficulty, arising from the uncertainty which exists as to the ownership of the musical scores which the accused was ordered to transfer. If it were shown that the music was composed, arranged, or even copied by the accused while in the employ of the government as chief musician, it might be held that the product of such labor is the property of the government, and this notwithstanding that the paper or books containing the manuscript belonged to the accused. There is, however, no evidence upon this point. A part, at least, of the books and papers on which the music was written, is shown to be the property of the accused, purchased with his private means, and there is no circumstance tending to establish the ownership of the scores in the government, or in any one other than the accused. If the scores were his private property, the order to deliver them up to another was illegal, and the failure to obey it involves no criminality. The findings and sentence are disapproved. The accused will be released from arrest and restored to duty.

The proceedings, findings, and sentences in the foregoing cases of Privates *Charles N. Goldsmith*, Company "F," *William M. Howard* and *Edward Schultz*, Company "E," 6th Infantry, are approved, and the sentences will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as their place of confinement.

The proceedings, findings, and sentence in the foregoing case of Private *Hiram Aldrich*, Company "F," 6th Infantry, are approved; but, upon the unanimous recommendation of the members of the Court, and in view of the diseased condition of the prisoner, as reported by the post surgeon, the sentence is remitted. He will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the foregoing case of Private *James H. Kent*, Company "E," 6th Infantry, are approved. In view of the physical disability of the prisoner, as reported by the post surgeon, so much of the sentence as relates to confinement and hard labor is remitted. The remainder of the sentence will be duly executed.

The proceedings, findings, and sentence in the foregoing case of Private *John Collins*, Company "I," 6th Infantry, are approved, and the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Private *Nicholas Dowt*, Company "H," 7th Infantry.
2. Private *Edward Hoffman*, Company "H," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 1, 1873.

GENERAL ORDERS No. 72.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph I, Special Orders No. 32, current series, from these Headquarters, and of which 1st Lieutenant W. I. REED, 7th Infantry, is President, were arraigned and tried :—

1st. Private *Nicholas Dowt*, Company "H," 7th Infantry.

CHARGE I.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In: that he, Private *Nicholas Dowt*, Company 'H,' 7th Infantry, did feloniously steal, take, carry away and appropriate to his own use, a certain lot of blankets, number unknown, the property of the United States. This at or near Camp Baker, M. T., on or about the 25th day of August, 1872."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that he, Private *Nicholas Dowt*, Company 'H,' 7th Infantry, did write, or assist in writing, or cause to be written, or did connive at the writing of and sending to the Commanding Officer of his regiment, Lieutenant Colonel C. C. Gilbert, 7th In-

fantry, an anonymous letter, which letter was written and sent without the knowledge or consent of his Commanding Officer. This at Camp Baker, M. T., on or about the 29th day of January, 1873."

CHARGE III.—"Violation of the 6th Article of War."

Specification.—"In: that he, Private *Nicholas Dowt*, Company 'H,' 7th Infantry, did write, or cause to be written, or assist in writing, or connive at the writing of and sending to the Commanding Officer of his regiment, Lieutenant Colonel C. C. Gilbert, 7th Infantry, a certain anonymous communication, in the following words and figures, to-wit:

* * * * * * *

which said letter Private *Nicholas Dowt*, Company 'H,' 7th Infantry, did as above stated, send without the knowledge of proper authority, and which letter did unwarrantably asperse and call in question the character of his Commanding Officer, Captain H. B. Freeman, 7th Infantry. This at Camp Baker, M. T., on or about the 29th day of January, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Nicholas Dowt*, Company "H," 7th Infantry, "*To forfeit to the United States eight dollars per month of his monthly pay for the period of six months, and to be confined at hard labor, in charge of the guard, for the same period.*"

2d. Private *Edward Hoffman*, Company "H," 7th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that he, Private *Edward Hoffman*, Company 'H,' 7th Infantry, did write, or assist in writing, or cause to be written, or did connive at the writing of and sending to the Commanding Officer of his regiment, Lieutenant Colonel C. C. Gilbert, 7th Infantry, an anonymous letter, which letter was written and sent without the knowledge or consent of his Commanding Officer. This at Camp Baker, M. T., on or about the 29th day of January, 1873."

CHARGE II.—"Violation of the 6th Article of War."

Specification.—"In: that he, Private *Edward Hoffman*, Company 'H,' 7th Infantry, did write, or cause to be written, or assist in writing, or connive at the writing of and sending to the Commanding Officer of his regiment, Lieutenant Colonel C. C. Gilbert, 7th In-

fantry, a certain anonymous communication, in the following words and figures, to-wit:

* * * * * * *

which said letter Private *Edward Hoffman*, Company 'H,' 7th Infantry, did as above stated, send without the knowledge of proper authority, and which letter did unwarrantably asperse and call in question the character of his Commanding Officer, Captain H. B. Freeman, 7th Infantry. This at Camp Baker, M. T., on or about the 29th day of January, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Hoffman*, Company "H," 7th Infantry, "*To forfeit to the United States eight dollars per month of his monthly pay for the period of six months, and to be confined at hard labor, in charge of the guard, for the same period.*"

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Nicholas Dowt* and *Edward Hoffman*, Company "H," 7th Infantry, are approved, and the sentences will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Private *Miron Hall*, Company "C," 20th Infantry.
2. Private *John W. Miller*, Company "C," 20th Infantry.
3. Private *Frederick Contourier*, Company "C," 20th Infantry.
4. Private *Hermann Marschner*, Company "G," 20th Infantry.
5. Private *Otto Neubert*, Regimental Band, 20th Infantry.
6. Private *Edward Erfurth*, Regimental Band, 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 4, 1873.

GENERAL ORDERS No. 73.

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of paragraph I, Special Orders No. 168, current series, from these Headquarters, and of which Surgeon ANTHONY HEGER, Medical Department, U. S. A., is President, were arraigned and tried :—

1st. Private *Miron Hall*, Company "C," 20th Infantry.

CHARGE.—"Sleeping on post, in violation of the 46th Article of War."

Specification.—"In this: that he, Private *Miron Hall*, Company 'C,' 20th Infantry, having been duly mounted as a member of the post guard at Fort Snelling, Minn., and posted as a sentinel in charge of the stables at that post, was found asleep on said post between the hours of 3 and 4 o'clock A. M., June 4, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Miron Hall*, Company "C," 20th Infantry, "*To forfeit ten dollars of his monthly pay per month for six months, and to be confined at hard labor, in charge of the guard, for two months—the first ten days in each month to be solitary, and on bread and water.*"

2d. Private *John W. Miller*, Company "C," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *John W. Miller*, Company 'C,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service on or about January 9, 1873, and did remain absent from his company and post until apprehended and brought back by the civil authorities, on or about June 18, 1873. This at Fort Snelling, Minn."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John W. Miller*, Company "C," 20th Infantry, "*To forfeit all pay and allowances now due,*

or that may become due him, to be confined at hard labor at such military prison as the Department Commander may designate, wearing a ball and chain weighing twelve (12) *pounds, for three* (3) *years, and then to be dishonorably discharged and drummed out of the service.*"

3d. Private *Frederick Contourier*, Company "C," 20th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Frederick Contourier*, Company 'C,' 20th Infantry, being a sentinel duly posted over certain prisoners, did fail to exercise proper supervision over one of said prisoners, namely, Private Joshua Stewart, a deserter from the 17th Infantry, in consequence of which failure, said Private Joshua Stewart did make his escape from said Private *Frederick Contourier*. This at Fort Snelling, Minn., on the 26th day of July, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore "*acquit him*," Private *Frederick Contourier*, Company "C," 20th Infantry.

4th. Private *Hermann Marschner*, Company "G," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Hermann Marschner*, Company 'G,' 20th Infantry, an enlisted soldier in the service of the United States, did desert said service from Fort Ripley, Minn., and did remain absent until apprehended at Brainerd, Minn. All this on or about the 12th and 13th days of June, 1873, at or near the places above specified. $30.00 paid for his apprehension."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Hermann Marschner*, Company "G," 20th Infantry, "*To forfeit all pay and allowances now due, or that may become due him, to be confined at hard labor at such military prison as the Department Commander may designate for three years, wearing a ball and chain weighing twelve pounds, and then to be dishonorablg discharged and drummed out of the service.*"

5th. Private *Otto Neubert*, Regimental Band, 20th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Otto Neubert*, Begimental Band, 20th Infantry, a duly enlisted soldier in the U. S. service, did desert said service on the 20th day of July, 1873, and did remain absent until apprehended at or near White Bear Lake, Minn., and brought back by a civil officer on the 22d day of July, 1873. This at Fort Snelling, Minn., on the dates above specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Otto Neubert*, Regimental Band, 20th Infantry, did take, steal and carry away one baritone, of the value of forty-eight (48) dollars, the property of the 20th Regiment U. S. Infantry, and for which 1st Lieutenant Septimus Carncross, Adjutant, 20th Infantry, is responsible. This at Fort Snelling, Minn., on or about July 20, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Otto Neubert*, Regimental Band, 20th Infantry, "*To forfeit all pay and allowances now due, or that may become due him, to be dishonorably discharged the service of*

the United States, and to be confined at hard labor, for the period of three years and six months, in such penitentiary as the Department Commander may designate."

6th. Private *Edward Erfurth*, Regimental Band, 20th Infantry.

CHARGE I.—" Desertion."

Specification.—" In this: that he, Private *Edward Erfurth*, Regimental Band, 20th Infantry, a duly enlisted soldier in the United States service, did desert said service on the 20th day of July, 1873, and did remain absent until apprehended at or near White Bear Lake, Minn., and brought back by a civil officer on the 22d day of July, 1873. This at Fort Snelling, Minn., on the dates above specified."

CHARGE II.—" Larceny, to the prejudice of good order and military discipline."

Specification.—" In this: that he, Private *Edward Erfurth*, Regimental Band, 20th Infantry, did take, steal, and carry away one cornet, of the value of thirty-two dollars ($32.00), the property of the 20th Regiment U. S. Infantry, and for which 1st Lieutenant Septimus Carncross, Adjutant, 20th Infantry, is responsible. This at Fort Snelling, Minn., on or about July 20, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, " Not Guilty."
To the CHARGE, " Not Guilty."

CHARGE II.

To the *Specification*, " Not Guilty."
To the CHARGE, " Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Erfurth*, Regimental Band, 20th Infantry, "*To forfeit all pay and allowances now due, or that may become due him, to be dishonorably discharged the service of the United States, and to be confined at hard labor for the period of three* (3) *years and six* (6) *months, in such penitentiary as the Department Commander may direct.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *Miron Hall*, Company "C," 20th Infantry, are approved. Upon the unanimous recommendation of the members of the Court, so much of the sentence as relates to confinement and hard labor, is remitted. He will be released from confinement and restored to duty.

The proceedings, findings, and acquittal in the foregoing case of Private *Frederick Contourier*, Company "C," 20th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings, findings, and sentences in the foregoing cases of Privates *John W. Miller*, Company "C," and *Hermann Marschner*, Company "G," 20th Infantry, are approved, and the sentences will be duly executed. The post where their respective companies are stationed is designated as the place of confinement.

The proceedings, findings, and sentences in the foregoing cases of Privates *Otto Neubert* and *Edward Erfurth*, Regimental Band, 20th Infantry, are approved. The sentences are modified so as to make the dishonorable discharge take effect at the expiration of their terms of confinement. As thus modified, the sentences will be duly executed.

The Minnesota State Prison at Stillwater, Minn., is designated as the place of confinement.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Private *Frederick Shuttleworth*, Company "F," 17th Infantry.
2. Private *John Aldred*, Band, 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., September 10, 1873.

GENERAL ORDERS No. 74.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of paragraph II, Special Orders No. 146, current series, from these Headquarters, and of which Captain J. W. SCULLY, Assistant Quartermaster, U. S. A., is President, were arraigned and tried:—

1st. Private *Frederick Shuttleworth*, Company "F," 17th Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Frederick Shuttleworth*, Company 'F,' 17th Infantry, did feloniously steal, take and carry away, with intent to convert to his own use and benefit, from the person of Private Morris Flateau, Company 'B,' 22d Infantry, on or about July 6th, 1873, the sum of fifty (50) dollars, the property of the said Private Morris Flateau, Company 'B,' 22d Infantry, and the said *Shuttleworth* did have in his possession July 19, 1873, four (4) five (5) dollar bills identified as a portion of the stolen money. All this at Fort Rice, D. T., at the times above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Frederick Shuttleworth*, Company "F," 17th Infantry, "*To forfeit to the United States all pay and allowances now due, or which may become due, except the just dues of the laundress, to be dishonorably discharged the service of the United States, and confined at such place as the Commanding General may direct, for the period of one year, at hard labor.*"

2d. Private *John Aldred*, Band, 17th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that Private *John Aldred*, Band, 17th Infantry, having been found drunk and staggering in rear of the band quarters, and having been ordered by Chief Musician Rudolph Ritter, 17th Infantry, to his quarters, answered in a highly refractory way, that he would walk just as slow as he pleased; that when the said Chief Musician Rudolph Ritter, 17th Infantry, ordered Corporal Schimmelpfenning, on duty with Band, 17th Infantry, to take said *Aldred* to the guard-house, the said *John Aldred*, Band, 17th Infantry, saying, 'there, you God damn son-of-a-b——,' threw himself on Chief Musician Rudolph Ritter, 17th Infantry, kicking him several times in the chest; and that when arrested by a corporal and file of men from the guard, did call out several times to said Chief Musician Rudolph Ritter, 17th Infantry, 'you are a big —— .' This at Fort Rice, D. T., on or about July 29, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Aldred*, Band, 17th Infantry, "*To forfeit to the United States five dollars* ($5.00) *of his monthly pay for one month. The Court is thus lenient in consideration of his general good character.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *Frederick Shuttleworth*, Company "F," 17th Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified, the sentence will be duly executed. The Minnesota State Prison at Stillwater, is designated as the place of confinement.

The proceedings, findings, and sentence in the foregoing case of Private *John Aldred*, Band, 17th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Rice, D. T., by virtue of paragraph II, Special Orders No. 146, current series, from these Headquarters, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Sergeant *John Harbison*, Company "E," 7th Infantry.
2. Musician *Frank A. Brown*, Company "F," 7th Infantry.
3. Private *Daniel Morris*, Company "G," 7th Infantry.
4. Private *Charles J. Keegin*, Company "I," 7th Infantry.
5. Private (late Sergeant) *William Lonney*, Company "C," 7th Inf'y.
6. Private *Michael Conway*, Company "H," 7th Infantry.
7. Private *George B. Smith*, Company "H," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 11, 1873.

GENERAL ORDERS No. 75.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph IV, Special Orders No. 138, current series, from these Headquarters, were arraigned and tried:—

1st. Sergeant *John Harbison*, Company "E," 7th Infantry.

CHARGE.—"Violation of the 81st Article of War."

Specification.—"In this: that he, Sergeant *John Harbison*, Company 'E,' 7th Infantry, commanding the guard at the post of Fort Shaw, M. T., did suffer to escape on or about the 14th day of April, 1873, Private James Adams, of Company 'K,' 7th Infantry, a prisoner awaiting sentence of a General Court Martial."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Sergeant *John Harbison*, Company "E," 7th Infantry.

2d. Musician *Frank A. Brown*, Company "F," 7th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In: that he, Musician *Frank A. Brown*, Company 'F,' 7th Infantry, being a member of the post guard, as musician of the same, was found drunk on the said guard. This at Fort Shaw, M. T., on the 13th day of April, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *Frank A. Brown*, Company "F," 7th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *per month of his monthly pay for three months, and to be confined at hard labor, in charge of the guard, for the same period.*"

3d. Private *Daniel Morris*, Company "G," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Daniel Morris*, Company 'G,' 7th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert said service on or about the night of the 21st day of May, 1873, between the hours of taps and reveille, and did remain absent until arrested by acting 1st Sergeant Robert L. Edgworth, Company "G," 7th Infantry. This at Fort Shaw, M. T., on the 21st day of May, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Daniel Morris*, Company "G," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, to be dishonorably discharged from and drummed out of the service of the United States, and then to be confined at hard labor, in such military prison as the Department Commander may designate, until June* 30, 1876, *wearing a ball weighing not less than* 24 *pounds, attached to his left leg by a chain not less than three feet long.*"

4th. Private *Charles J. Keegin*, Company "I," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Charles J. Keegin*, Company 'I,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert such service on or about the 11th day of May, 1872, and did remain absent until arrested at Memphis, Tenn., on or about the 9th day of September, 1872. This at Fort Buford, D. T., on or about the 11th day of May, 1872."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Charles J. Keegin*, Company 'I,' 7th Infantry, did feloniously take, steal, and carry away for his own use, one (1) Springfield breech-loading rifled musket, calibre .50, and forty rounds of ammunition, the property of the United States, and for which Captain C. C. Rawn, 7th Infantry, was responsible. This at Fort Buford, D. T., on or about the 11th day of May, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles J. Keegin*, Company "I," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, to be dishonorably discharged from and drummed out of the United States military service, and then to be confined at hard labor, in such military prison as the Commanding*

General may designate, until the 30th day of June, 1876, *wearing a ball weighing not less than twenty-four pounds, attached to his left leg by a chain not less than three feet long.*"

5th. Private (late Sergeant) *William Lonney,* Company "C," 7th Infantry.

CHARGE I.—"Violation of the 9th Article of War."

Specification.—"In this: that Private (late Sergeant) *William Lonney,* Company 'C,' 7th Infantry, when ordered by his superior officer, 1st Lieutenant William Quinton, 7th Infantry, being in the execution of his office, to take charge of the company mess of Company 'C,' 7th Infantry, did disobey such lawful order, and did reply: 'I will not do it,' or words to that effect. This at Fort Shaw, M. T., on or about the 9th day of May, 1873."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that Private (late Sergeant) *William Lonney* Company 'C,' 7th Infantry, did refuse to take charge of the company mess of 'C' Company, 7th Infantry, when ordered by acting 1st Sergeant Wheaton C. B. Goff, Company 'C,' 7th Infantry. This at Fort Shaw, M. T., on or about the 9th day of May, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification,* "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification,* "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private (late Sergeant) *William Lonney*, Company "C," 7th Infantry, "*To be confined at hard labor, under charge of the guard, for the period of eight months, and to forfeit to the United States ten dollars per month of his monthly pay for the same period.*"

6th. Private *Michael Conway*, Company "H," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In: that he, Private *Michael Conway*, Company 'H,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service, and did remain absent until apprehended. All this at or near Camp Baker, M. T., on or about the night of April 10, 1873."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In: that he, Private *Michael Conway*, Company 'H,' 7th Infantry, did enter a citizen's ranche in Benton Gulch, M. T., by crawling down the chimney, and did steal, take, and carry away a silver watch, the property of one George Schoemaker (a citizen). All this at or near Camp Baker, M. T., on or about April 10, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, except the words, 'desert said service,' substituting therefor the words, 'absent himself without leave from his company and post.'"

Of the CHARGE, "Not Guilty, but Guilty of 'absence without leave.'"

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Conway*, Company "H," 7th Infantry, "*To be confined at hard labor, in charge of the guard, at the post where his company may be serving, for the period of twelve months, forfeiting to the United States ten dollars per month of his monthly pay for the same period, and then to be dishonorably discharged from and drummed out of the military service of the United States.*"

7th. Private *George B. Smith*, Company "H." 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In: that he, *George B. Smith*, an enlisted soldier in the service of the United States, private Company 'H,' 7th Infantry, U. S. A., did desert the said service. This at Camp Baker, M. T., on or about the 14th day of June, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George B. Smith*, Company "H," 7th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, to be dishonorably discharged from the United States service, and then to be confined, under charge of the guard, until July* 3, 1876, *wearing a ball weighing not less than* 24 *pounds, attached to his left leg by a chain not less than three feet long.*"

II...In the foregoing case of Sergeant *John Harbison*, Company "E," 7th Infantry, it would seem from the evidence that a careful investigation ought to have easily established the innocence of the accused, without the necessity of resorting to a trial. An officer who prefers charges against an enlisted man, without having first used all means within his reach and knowledge to assure himself of the grounds upon which the charges are to rest, neglects one of the gravest of his duties, and runs the risk of inflicting an injury quite beyond his power to repair. It is hoped that a case of this kind will not again be brought to the attention of the Department Commander. The proceedings, findings, and acquittal are approved. Orders have already been issued for Sergeant *Harbison's* release from arrest and restoration to duty.

The proceedings, findings, and sentence in the foregoing case of Musician *Frank A. Brown*, Company "F," 7th Infantry, are approved. Upon the unanimous recommendation of the members of the Court, and in consideration of the fact that the accused has already been confined for several months, the sentence is remitted. He will be released from confinement and restored to duty.

The proceedings, findings, and sentences in the foregoing cases of Privates *Daniel Morris*, Company "G," and *Charles J. Keegin*, Company "I," 7th Infantry, are approved. The sentences are modified so as to

make the dishonorable discharge and drumming out of the service take effect at the expiration of their terms of confinement. As thus modified the sentences will be duly executed. The post where their respective companies may be serving, is designated as the place of confinement.

The proceedings, findings, and sentence in the foregoing case of Private *George B. Smith*, Company "H," 7th Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified, the sentence will be duly executed.

The proceedings, findings, and sentence in the foregoing case of Private (late Sergeant) *William Lonney*, Company "C," 7th Infantry, are approved. Upon the recommendation of a majority of the members of the Court, and in consideration of the previous good character of the accused, and of the fact that he has already been for several months in confinement, the sentence is remitted. He will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Michael Conway*, Company "H," 7th Infantry, are approved, and the sentence will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Private *Philipp Biehl*, Company "G," 2d Cavalry.
2. Private *Henry C. Coates*, Company "H," 2d Cavalry.
3. Private *Christian Schonleber*, Company "G," 2d Cavalry.
4. Private *George W. Himelright*, Company "F," 2d Cavalry.
5. Private *James Depp*, Company "H," 2d Cavalry.
6. Private *Albert H. Johnston*, Company "H," 2d Cavalry.
7. Private *John Thompson*, Company "H," 2d Cavalry.
8. Private *Theodore W. Cuthbertson*, Company "G," 2d Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 13, 1873.

GENERAL ORDERS No. 76.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of Special Orders No. 166, current series, from these Headquarters, and of which Major N. B. SWEITZER, 2d Cavalry, is President, were arraigned and tried:—

1st. Private *Philipp Biehl*, Company "G," 2d Cavalry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Private *Philipp Biehl*, Company 'G,' 2d Cavalry, while a member of the post guard, and as a sentinel having charge of two prisoners, did suffer said prisoners to escape. All this at Fort Ellis, M. T., on the 22d day of May, 1873."

Specification II.—"In this: that he, Private *Philipp Biehl*, Company 'G,' 2d Cavalry, while a member of the post guard, and as a

sentinel having charge of two prisoners, did, on said prisoners attempting to escape, fail to fire his piece, or alarm the guard, or give any notice of such attempt being made. All this at Fort Ellis, M. T., on the 22d day of May, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Philipp Biehl*, Company "G," 2d Cavalry, "*To be confined in the post guard-house, under charge of the guard, at hard labor, for a period of six months.*"

2d. Private *Henry C. Coates*, Company "H," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Henry C. Coates*, 'H' Company, 2d Cavalry, being a duly enlisted soldier in the service of the United States, did desert said service on the 25th of June, 1873, and did remain a deserter until he was apprehended on the 25th day of June, 1873. This on the march of a detachment 2d Cavalry, en route to Fort Ellis, M. T., on or about the date above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, excepting the words, 'did desert said service,' and substituting therefor the words, 'did absent himself without permission from proper authority,' excepting the words, 'a deserter,' and substituting therefor the word, 'absent,' and of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty, but Guilty of absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private *Henry C. Coates*, Co. "H," 2d Cavalry, "*To be confined at hard labor, in charge of the guard, for a period of one month, and to forfeit to the United States ten dollars* ($10.00) *of his monthly pay for the same period.*"

3d. Private *Christian Schonleber*, Company "G," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Christian Schonleber*, 'G' Company, 2d Cavalry, being a duly enlisted soldier in the service of the United States, did desert said service at camp detachment, 2d Cavalry, on Marsh Creek, Idaho Territory, on the 25th day of June, 1873, and did remain a deserter until he was apprehended at Henderson's Creek, Idaho Territory, on the 26th day of June, 1873. This on the march of a detachment 2d Cavalry, en route to Fort Ellis, M. T., at the places and on or about the dates above specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Christian Schonleber*, Company 'G,' 2d Cavalry, did steal or take away, or was one of the party who did steal or take away, three (3) Sharp's carbines, three (3) carbine cartridge boxes, three (3) sabre belts and plates, three (3) Stewart's attachments, three hundred (300) centre

primed ball cartridges, cal. .50; total money value, one hundred and seventy-eight dollars and twenty cents ($178.20), more or less, the property of the United States, and for which 2d Lieut. Leonard H. Jerome, 2d Cavalry, is responsible, and did appropriate the same to his own use and benefit. This at camp detachment 2d Cavalry, on Marsh Creek, Idaho Territory, on or about the 25th day of June, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty, excepting the words, 'or was one of a party who did steal or take away,' substituting in place of the words 'three (3) Sharp's carbines,' the words, 'one (1) Sharp's carbine,' and excepting the words, 'three (3) Sharp's carbines, three (3) carbine cartridge boxes, three (3) sabre belts and plates, three (3) Stewart's attachments, three hundred (300) centre primed ball cartridges, cal. .50; total money value, one hundred and seventy-eight dollars and twenty cents ($178.20), more or less,' and to the excepted words, Not Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty, excepting the words, 'or was one of a party who did steal or take away,' substituting in place of the words, 'three (3) Sharp's carbines,' the words, 'one (1) Sharp's carbine,' and excepting the words 'three Sharp's carbines, three (3) carbine cartridge boxes, three (3) sabre belts and plates, three (3) Stewart's attach-

ments, three hundred (300) centre primed ball cartridges, cal. .50; total money value, one hundred and seventy-eight dollars and twenty cents ($178.20), more or less,' and of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Christian Schonleber*, Company "G," 2d Cavalry, "*To be confined in such penitentiary as the Department Commander may designate, for the period of two years, and to forfeit to the United States all pay and allowances now due, or that may become due, except the just dues of the laundress, for the same period, then to be dishonorably discharged the service.*"

4th. Private *George W. Himelright*, Company "F," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *George W. Himelright*, Company 'F,' 2d Cavalry, being a duly enlisted soldier in the service of the United States, did desert said service at camp detachment, 2d Cavalry, on Marsh Creek, Idaho Territory, on the 25th of June, 1873, and did remain a deserter until he was apprehended at Henderson's Creek, Idaho Territory, on the 26th day of June, 1873. This on the march of a detachment 2d Cavalry, en route to Fort Ellis, M. T., at the places and on or about the dates above specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *George W. Himelright*, Company 'F,' 2d Cavalry, did steal or take away, or was one of a party who did steal or take away, three (3) Sharp's carbines, three (3) carbine cartridge boxes, three (3) sabre belts and plates, three (3) Stewart's attachments, and three hundred (300) centre primed ball cartridges, cal. .50; total money value, one hundred and seventy-eight dollars and twenty cents ($178.20), more or less, the property of the United States, and for which 2d Lieut. L. H. Jerome, 2d Cavalry, is responsible, and did appropriate

the same to his own use or benefit. This at camp detachment 2d Cavalry, on Marsh Creek, Idaho Territory, on or about the 25th day of June, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty, excepting the words, 'or was one of a party who did steal or take away,' substituting for the words, 'three (3) Sharp's carbines,' the words, 'one (1) Sharp's carbine,' and excepting the words, 'three (3) Sharp's carbines, three (3) carbine cartridge boxes, three (3) sabre belts and plates, three (3) Stewart's attachments, and three hundred (300) centre primed ball cartridges, cal. .50; total money value, one hundred and seventy-eight dollars and twenty cents ($178.20), more or less,' and to the excepted words, Not Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty, excepting the words, 'or was one of a party who did steal or take away,' substituting in place of the words, 'three (3) Sharp's carbines,' the words, 'one (1) Sharp's carbine,' and excepting the words, 'three (3) Sharp's carbines, three (3) carbine cartridge boxes, three (3) sabre belts and plates, three (3) Stewart's attachments, three hundred (300) centre primed ball cartridges, cal. .50; total money value, one hundred and seventy-eight dollars and twenty cents ($178.20), more or less,' and of the excepted words, Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George W. Himelright*, Company "F," 2d Cavalry, "*To be confined in such penitentiary as the Department Commander may designate, for a period of two years, and to forfeit to the United States all pay and allowances now due, or that may become due, except the just dues of the laundress, for the same period, then to be dishonorably discharged the service.*"

5. Private *James Depp*, Company "H," 2d Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that Private *James Depp*, Company 'H,' 2d Cavalry, being a member of the post guard, of Fort Sanders, Wyoming Territory, and having been placed as a sentinel over or in charge of two prisoners, to-wit: Jennings and Kelly, and having been instructed to not allow said prisoners to escape, did allow Jennings to escape, at Fort Sanders, W. T., on the 1st day of May, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty, but attach no criminality."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *James Depp*, Company "H," 2d Cavalry.

6th. Private *Albert H. Johnston*, Company "H," 2d Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Albert H. Johnston*, Company 'H,' 2d Cavalry, being a member of the post guard of Fort Sanders, Wyoming Territory, and having been properly placed as a sentinel over or in charge of prisoners Jennings, of Company 'H,' 9th Infantry, and Ryan, Company 'I,' 2d Cavalry, did allow said prisoner Ryan to escape. This at Fort Sanders, W. T., on the 26th day of April, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Albert H. Johnston*, Company "H," 2d Cavalry.

7th. Private *John Thompson*, Company "H," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *John Thompson*, 'H' Company, 2d Cavalry, being a duly enlisted soldier in the service of the United States, did desert said service on the 25th of June, 1873, and did remain a deserter until he was apprehended on the 25th day of June, 1873. This on the march of a detachment 2d Cavalry, en route to Fort Ellis, M. T, on or about the date above specified."

CHARGE II.—"Absence without leave."

Specification.—"In this: that he, Private *John Thompson*, 'H' Company, 2d Cavalry, did, without permission from proper authority, absent himself from his detachment in camp, from 7 o'clock A. M.

until 3 o'clock P. M., on the 21st day of June, 1873. This at camp of a detachment of 2d Cavalry, near Corinne, Utah Territory, on or about the date above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *John Thompson*, Company "H," 2d Cavalry.

8th. Private *Theodore W. Cuthbertson*, Company "G," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Theodore W. Cuthbertson*, Company 'G,' 2d Cavalry, being a duly enlisted soldier in the service of the United States, did desert said service at camp detachment 2d Cavalry, on Marsh Creek, Idaho Territory, on the 25th of June, 1873, and did remain a deserter until he was apprehended at Henderson's Creek, Idaho Territory, on the 26th

day of June, 1873. This on the march of a detachment 2d Cavalry, en route to Fort Ellis, M. T., at the places and on or about the dates above specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Theodore W. Cuthbertson*, Company 'G,' 2d Cavalry, did steal or take away, or was one of a party who did steal or take away, three (3) Sharp's carbines, three (3) carbine cartridge boxes, three (3) sabre belts and plates, three (3) Stewart's attachments, and three hundred (300) centre primed ball cartridges, cal. .50; total money value, one hundred and seventy-eight dollars and twenty cents ($178.20), more or less, the property of the United States, and for which 2d Lieut. L. H. Jerome, 2d Cavalry, is responsible, and did appropriate the same for his own use and benefit. This at camp detachment 2d Cavalry, on Marsh Creek, Idaho Territory, on or about the 25th day of June, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty, excepting the words, 'or was one of a party who did steal or take away,' substituting for the words, 'three (3) Sharp's carbines,' the words, 'one (1) Sharp's carbine,' and excepting the words, 'three (3) Sharp's carbines, three (3) carbine cartridge boxes, three (3) sabre belts and plates, three (3) Stewart's attachments, and three hundred (300) centre primed ball cartridges, cal. .50; total money value, one hundred and seventy-eight dollars and twenty cents ($178.20), more or less,' and to the excepted words, Not Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty, excepting the words, 'or was one of a party who did steal or take away,' substituting for the words, 'three (3) Sharp's carbines,' the words, 'one (1) Sharp's carbine,' and excepting the words, 'three (3) Sharp's carbines, three (3) carbine cartridge boxes, three (3) sabre belts and plates, three (3) Stewart's attachments, and three hundred (300) centre primed ball cartridges, cal. .50; total money value, one hundred and seventy-eight dollars and twenty cents ($178.20), more or less,' and of the excepted words, Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Theodore W. Cuthbertson*, Company "G," 2d Cavalry, "*To be confined in such penitentiary as the Department Commander may designate, for a period of two years; to forfeit to the United States all pay and allowances now due, or that may become due, except the just dues of the laundress, for the same period, then to be dishonorably discharged the service.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *Philipp Biehl*, Company "G," 2d Cavalry, are approved. Upon the unanimous recommendation of the members of the Court, the sentence is remitted. He will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Henry C. Coates*, Company "H," 2d Cavalry, are approved, and the sentence will be duly executed.

The proceedings, findings, and sentences in the foregoing cases of Privates *Christian Schonleber* and *Theodore W. Cuthbertson*, Company "G," and *George W. Himelright*, Company "F," 2d Cavalry, are approved, and the sentences will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of their confinement.

The proceedings, findings, and acquittals in the foregoing cases of Privates *James Depp*, *Albert H. Johnston*, and *John Thompson*, Company "H," 2d Cavalry, are approved. Orders have already been issued for their release from confinement and restoration to duty.

By Command of Brigadier General Terry

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1st Lieutenant *Frank D. Garretty*, 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 19, 1873.

GENERAL ORDERS No. 77.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of paragraph IV, Special Orders No. 140, current series, from these headquarters, and of which Captain J. W. SCULLY, Assistant Quartermaster, U. S. A., is President, was arraigned and tried:

1st Lieutenant *Frank D. Garretty*, 17th Infantry.

CHARGE I.—"Drunkenness on duty."

Specification.—"In: that 1st Lieutenant *Frank D. Garretty*, 17th Infantry, having been regularly detailed as Officer of the Day, and on duty as such, was found drunk. This at Fort Rice, D. T., on or about the 13th day of May, 1873."

CHARGE II.—"Neglect of duty."

Specification 1st.—"In: that 1st Lieutenant *Frank D. Garretty*, 17th Infantry, did, while on duty as Officer of the Day, fail and neglect to furnish the countersign to the Sergeant in charge of the post guard. This at Fort Rice, D. T., on or about the 13th day of May, 1873."

Specification 2d.—"In: that 1st Lieutenant *Frank D. Garretty*, 17th Infantry, having been duly detailed, and on duty as Officer of the Day, did fail and neglect to comply with the requirements of a post circular in words and figures as follows:

'HEADQUARTERS, FORT RICE, D. T.,
'*May* 21st, 1871.

'CIRCULAR.

'The Officer of the Day at this post will hereafter execute the following duties: Immediately after relieving the old Officer of the Day, he will closely inspect the prisoners' room, blankets, &c. No knapsacks, bedticks, boxes, or any article capable of concealing anything, will be allowed in the prisoners' room. The floor, walls and ceiling will be examined at Guard Mount, Retreat, Tattoo, and when the officer makes his grand rounds. After the Retreat, the Corporal of each relief, upon going out, will satisfy himself by inspection, that the prisoners are present. The Officer of the Day, when making the grand rounds, will inspect the prisoners' room, cause them to stand at attention, and examine their shackles. Immediately after the prisoners' getting their meals, all table furniture will be removed. There being no Officer of the Guard, besides making his grand rounds, the Officer of the Day will visit his sentinels at least once during his tour of duty, and will have his guard turned out and inspected at least once during his tour.

'BY ORDER OF CAPTAIN SANGER,

'[Signed], HORATIO POTTER, JUN.,
'1st *Lieut. and Adjutant*, 17th *Infantry*.
'*Post Adjutant*."

in, that the said Lieutenant *Garretty* did not visit the guard at Tattoo roll-call. This at Fort Rice, D. T., on or about the 13th day of May, 1873."

CHARGE III.—"Conduct unbecoming an officer and gentleman."

Specification.—"In : that 1st Lieutenant *Frank D. Garretty*, 17th Infantry, did, after having pledged his word of honor as an officer and a gentleman to his Commanding Officer, Colonel T. L. Crittenden, 17th Infantry, to the effect that he would not thereafter drink another drop of liquor, did afterwards violate such pledge of honor by drinking whiskey. This at Fort Rice, D. T., on or about the 14th day of May, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty."

To the 2d *Specification*, "Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty, but attach no criminality thereto."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, 1st Lieutenant *Frank D. Garretty*, 17th Infantry, "*To be reprimanded in General Orders from Department Headquarters.*"

II...The proceedings in the foregoing case of 1st Lieutenant *Frank D. Garretty*, 17th Infantry, are approved. In the opinion of the reviewing authority, the findings upon the first Charge and its Specification are diametrically opposed to the weight of the evidence. By the strongest implication, the accused *admitted* to the Commanding Officer of the post that he had been drunk—drunk on duty—drunk while on duty on the day named in the specification, and the testimony of the witnesses who testified that they saw him at certain times during that day, and did not think that he was drunk, might have been increased forty fold, and yet it would have been insufficient to outweigh this admission. These findings are therefore disapproved.

The reviewing authority is at a loss to understand the findings upon the 3d Charge and its Specification. He cannot believe that the officers who composed the Court attach no criminality to the breach of a plighted word, for men who attach no criminality to such an offence, have no place among men of honor—the army is no place for them. It is found by the Court, that the accused, on the morning after the day on which it is charged that he was drunk on duty, of his own motion solemnly promised his Commanding Officer that so long as he should continue to be an officer of the regiment, he would drink no more intoxicating liquor, and that afterwards, on the same day, he drank whiskey in the quarters of the Adjutant of the post. Had the finding of the Court on the 1st Charge been in accordance with the evidence, it might have been surmised that the Court believed that he was still drunk when he gave the promise, and did not remember it when he broke it. But deprived of this explanation by the action of the Court itself, and unable to believe that the Court considers promise-breaking, conduct becoming an officer and a gentleman, the reviewing authority can only repeat that he finds it impossible to understand these findings. They are disapproved.

The findings upon the 2d Charge and its Specifications are approved; but the reviewing authority declines to assist the Court to bring military law into contempt, by administering a reprimand for the offense of which the accused was found guilty, and he therefore disapproves the sentence.

Lieutenant *Garretty* is released from arrest and will report for duty.

III...The General Court Martial which convened at Fort Rice, D. T., by virtue of paragraph IV, Special Orders No. 140, current series, from these Headquarters, and of which Captain J. W. SCULLY, Assistant Quartermaster, U. S. A., is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 20, 1873.

GENERAL ORDERS }
No. 78. }

Pursuant to directions from the War Department, all disbursing officers serving in this Military Department, having public funds to their credit with the First National Bank of St. Paul, are hereby ordered to forthwith draw their official checks on said bank in favor of the Merchants National Bank of St. Paul, so as to effect a transfer to their official credit, in the last named bank, of *one-third* of their respective balances in the First National.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Private *Thomas White*, Company "A," 20th Infantry.
2. Musician *Edward Gillespie*, Company "A," 20th Infantry.
3. Private *Patrick Kelley*, Company "I," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 22, 1873.

GENERAL ORDERS No. 79.

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of paragraph I, Special Orders No. 168, current series, from these Headquarters, and of which Surgeon ANTHONY HEGER, Medical Department, U. S. A., is President, were arraigned and tried:

1st. Private *Thomas White*, Company "A," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that *Thomas White*, private soldier in Company 'A,' 20th Infantry, having been duly enlisted into the service of the United States, did desert said service at Fort Abercrombie, D. T., on the 6th day of November, 1872, and did remain absent until apprehended at Chicago, Ill., on the 28th day of July, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas White*, Company "A," 20th Infantry, "*To forfeit all pay and allowances that are or may become due him; to be confined at hard labor at such military prison as the Department Commander may designate, for three* (3) *years, wearing a ball and chain weighing twelve* (12) *pounds, and then to be dishonorably discharged and drummed out of the service.*"

2d. Musician *Edward Gillespie*, Company "A," 20th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In this: that Musician *Edward Gillespie*, Company 'A,' 20th Infantry, was drunk on his guard. This at Fort Abercrombie, D. T., August 6th, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Musician *Edward Gillespie*, Company "A," 20th Infantry.

3d. Private *Patrick Kelley*, Company "I," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In: that he, Private *Patrick Kelley*, Company 'I,' 7th Regiment Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Breckenridge, Minnesota,

on or about the 10th day of June, 1873, and did remain absent until apprehended at St. Paul, Minnesota, on or about the 14th day of June, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Patrick Kelley*, Company "I," 7th Cavalry, "*To forfeit all pay and allowances now due, or that may become due him; to be confined at hard labor in such military prison as the Department Commander may designate, for three years, wearing a ball and chain weighing twelve pounds, and then to be dishonorably discharged and drummed out of the service.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *Thomas White*, Company "A," 20th Infantry, are approved, and the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement.

The proceedings, findings, and acquittal in the foregoing case of Musician *Edward Gillespie*, Company "A," 20th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Patrick Kelley*, Company "I," 7th Cavalry, are approved. Upon the unanimous recommendation of the members of the Court, the sentence is remitted. He will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Snelling Minn., by virtue of paragraph I, Special Orders No. 168, current series, from these Headquarters, and of which Surgeon ANTHONY HEGER, Medical Department, U. S. A., is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 24, 1873.

GENERAL ORDERS
No. 80.

The District of Minnesota, as defined in existing Department Orders, is hereby abolished. Commanding Officers of posts heretofore included within the limits of that District, will report direct to these headquarters.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

Sergeant *William Wardwell*, Company "G," 2d Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 30, 1873.

GENERAL ORDERS No. 81.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of Special Orders No. 166, current series, from these Headquarters, and of which Major N. B. SWEITZER, 2d Cavalry, is President, was arraigned and tried:—

Sergeant *William Wardwell*, Company "G," 2d Cavalry.

CHARGE I.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In: that he, Sergeant *William Wardwell*, Company 'G,' 2d Cavalry, did take from the quarters of 1st Lieutenant G. C. Doane, 2d Cavalry, one Colt's Derringer pistol, knowing the same not to be his own property, and did fail to return the same. All this at Fort Ellis, M. T., between the 5th and 11th days of July, 1873."

CHARGE II.—"Violation of the 38th Article of War."

Specification I.—"In: that he, Sergeant *William Wardwell*, Company 'G,' 2d Cavalry, while acting 1st Sergeant in charge of a detachment of his company, and in charge of clothing drawn for issue to said company, did sell or lose, through neglect, of said

clothing: six pairs of stockings and one pair of buffalo overshoes. All this at Fort Ellis, M. T., between the 18th of June, 1873, and the 12th of July, 1873."

Specification II.—"In: that he, Sergeant *William Wardwell*, Company 'G,' 2d Cavalry, did sell a pair of trowsers to an enlisted man of 'G' Company, and did receive a bottle of whiskey in payment for the same—said trowsers being United States uniform pants. All this at Fort Ellis, M. T., on or about the 28th day of July, 1873."

CHARGE III.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In: that he, Sergeant *William Wardwell*, Company 'G,' 2d Cavalry, did trade 125 lbs. of bacon, more or less, for butter, eggs and fish, without permission from proper authority—said bacon being a part of the rations of his company. All this at Fort Ellis, M. T., between the 12th and 31st of July, 1873."

Specification II.—"In this: that he, Sergeant *William Wardwell*, Company 'G,' 2d Cavalry, did trade 12 lbs. of beans, more or less, for butter, without permission from proper authority; also 10 lbs. of bacon, more or less, for fish; also 5 lbs. of soap and 5 lbs. of rice, more or less, for fish and butter—said articles traded being a part of the rations of the company. All this at Fort Ellis, M. T., between the 18th of June, 1873, and the 12th of July, 1873."

Specification III.—"In: that he, Sergeant *William Wardwell*, Company 'G,' 2d Cavalry, did, while acting 1st Sergeant in charge of a detachment of his company, deprive the men under his charge of their rations, and give just cause of complaint on that account. All this at Fort Ellis, M. T., between the 12th and 31st days of July, 1873."

Specification IV.—"In this: that he, Sergeant *William Wardwell*, Company 'G,' 2d Cavalry, was under the influence of intoxicating liquor to such an extent as to be unfit for military duty, on the

night of August 1st, 1873, and on the night of August 3d, 1873. All this at Fort Ellis, M. T."

Specification V.—"In this: that he, Sergeant *William Wardwell*, Company 'G,' 2d Cavalry, did, without permission from proper authority, purchase of citizens, on credit of the company, of one Etheridge to the amount of two dollars and fifty cents, more or less, and of one Corcoran to the amount of five dollars, more or less—the bills of said purchase to be paid from company savings. All this at Fort Ellis, M. T., between the 12th of July and the 5th of August, 1873."

Specification VI.—"In: that he, Sergeant *William Wardwell*, Company 'G,' 2d Cavalry, did sell to the post trader at Fort Ellis, M. T., eggs for which company rations had been traded or pledged, by him, for whiskey. This on several occasions between the 20th of June, 1873, and the 20th of July, 1873, and at Fort Ellis, M. T."

Specification VII.—"In this: that he, Sergeant *William Wardwell*, Company 'G,' 2d Cavalry, having permission from his Company Commander, 1st Lieutenant G. C. Doane, 2d Cavalry, to sell 37 pounds of bacon for 1,000 pounds of potatoes, for use of the company, did give 44 pounds of bacon for 900 pounds of potatoes, and did obtain eggs for the balance of said bacon, and did lie to his Company Commander, in relation to the transaction, stating that he received 1,200 pounds of potatoes for 40 pounds of bacon. All of this at Fort Ellis, M. T., between the 10th and 31st days of July, 1873."

Specification VIII.—Will not be published.

Specification IX.—Will not be published.

Specification X.—"In: that he, Sergeant *William Wardwell*, Company 'G,' 2d Cavalry, did receive from Private Richard Crum, Company 'G,' 2d Cavalry, a five dollar bill on pretence of getting it changed, and did retain said bill and not return the same to its owner. All this at Fort Ellis, M. T., on the 31st day of July, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Guilty."
To the 5th *Specification*, "Guilty."
To the 6th *Specification*, "Guilty, excepting the words, 'for which company rations had been traded or pledged by him,' and of the excepted words, Not Guilty."
To the 7th *Specification*, "Not Guilty."
To the 8th *Specification*, "Not Guilty."
To the 9th *Specification*, "Not Guilty."
To the 10th *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE III.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Not Guilty."
Of the 4th *Specification*, "Guilty."
Of the 5th *Specification*, "Guilty, but attach no criminality."
Of the 6th *Specification*, "Guilty, excepting the words, 'for which company rations had been traded or pledged by him,' and of the excepted words, Not Guilty."
Of the 7th *Specification*, "Not Guilty."
Of the 8th *Specification*, "Not Guilty."
Of the 9th *Specification*, "Not Guilty."
Of the 10th *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *William Wardwell*, Company "G," 2d Cavalry, "*To be reduced to the rank of a private.*"

II... In the foregoing case of Sergeant *William Wardwell*, Company "G," 2d Cavalry, the Department Commander sees reason to regret that permission was granted to submit the charges and specifications for trial without previous revision at these Headquarters, as the specifications, with few exceptions, prove to be so imperfectly framed as to render it at least doubtful whether any offence is set forth cognizable by a military Court. The 1st, 2d and 5th specifications to the 3d charge set forth facts which, if proved, do not necessarily imply criminality, and the evidence fails to support the allegations. The plea of "Guilty," as to these specifications, must be considered in connection with the statement of the accused in his defence, which shows that he considered himself authorized, as non-commissioned officer in charge of the mess, to dispose of the savings for the benefit of the mess. The 6th specification to the 3d charge, as modified in the finding thereon, sets forth no offence. The proceedings are approved. The findings on the 1st, 2d and 6th specifications to the 3d charge are disapproved. The remainder of the findings and

the sentence are approved. In consideration of the long and faithful service rendered by the accused, the sentence is remitted. He will be released from arrest and restored to duty.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1st Lieutenant *R. M. Taylor*, 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 1, 1873.

GENERAL ORDERS No. 82.

I... Before a General Court Martial which convened at Fort Abercrombie, D. T., by virtue of paragraph I, Special Orders No. 195, paragraph II, Special Orders No. 199, paragraphs I and II, Special Orders No. 206, and paragraph I, Special Orders No. 210, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, was arraigned and tried:

1st Lieutenant *R. M. Taylor*, 20th Infantry.

CHARGE I.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this: that he, 1st Lieutenant *R. M. Taylor*, 20th Infantry, Post Quartermaster and Depot Quartermaster at Fort Abercrombie, Dakota Territory, having been ordered by his superior officer, the Commanding Officer of the post, not to employ civil employés of the Quartermaster's Department in the cultivation of a garden, did, at various times in the months of July and August, 1873, disobey said order. This at Fort Abercrombie, D. T., on or about the dates above mentioned."

CHARGE II.—"Conduct to the prejudice of good order and military discipline, in violation of the 99th Article of War."

Specification I.—"In this: that he, 1st Lieutenant *R. M. Taylor*, 20th Infantry, while acting as Post Quartermaster and Depot Quartermaster at Fort Abercrombie, D. T., did employ certain civil employés of the Quartermaster's Department in the cultivation of a garden for the private benefit of himself, 1st Lieutenant *R. M. Taylor*, 20th Infantry, and to the neglect of duty in the Quartermaster's Department. This at Fort Abercrombie, D. T., during the months of July and August, 1873."

Specification II.—"In this: that he, 1st Lieutenant *R. M. Taylor*, 20th Infantry, did employ certain civil employés of the Quartermaster's Department in the cultivation of a garden, for the benefit of said employés, and to the neglect of duty in the Quartermaster's Department. This at Fort Abercrombie, D. T., during the months of July and August, 1873."

CHARGE III.—"Conduct unbecoming an officer and a gentleman."

Specification.—"In this: that he, 1st Lieutenant *R. M. Taylor*, 20th Infantry, Post Quartermaster and Depot Quartermaster at Fort Abercrombie, D. T., having employed certain civilian employés of the Quartermaster's Department in the cultivation of a garden for his (Lieutenant *Taylor's*) benefit, and having been questioned by his Commanding Officer as to such conduct, did deny that the men had been so employed. This at Fort Abercrombie, D. T., on or about July 15th, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty, with the exception of the words, 'for the private benefit of himself, 1st Lieutenant *R. M. Taylor*, 20th Infantry, and to the neglect of duty in the Quartermaster's Department.'"

To the 2d *Specification*, "Guilty, with the exception of the words, 'and to the neglect of duty in the Quartermaster's Department.'"

To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty, with the exception of the words, 'for the private benefit of himself, 1st Lieutenant *R. M. Taylor*, 20th Infantry, and to the neglect of duty in the Quartermaster's Department.'"

Of the 2d *Specification*, "Guilty, with the exception of the words, 'and to the neglect of duty in the Quartermaster's Department.'"

Of the CHARGE, "Not Guilty."

CHARGE III.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore honorably "*acquit him*," 1st Lieutenant *R. M. Taylor*, 20th Infantry.

II...The proceedings in the foregoing case of 1st Lieutenant *R. M. Taylor*, 20th Infantry, are approved.

In support of the specification to the first charge it is shown, by the testimony of two witnesses, that on the 15th of July the accused received, from the Post Commander, a positive order prohibiting the employment of the hired laborers of the Quartermaster's Department in the cultivation of a garden—of any garden whatever—and several witnesses testified to the fact that the men were, after that date, repeatedly so employed. There is no evidence whatever contradicting this testimony.

In his address to the Court the accused states that the order, as understood by him, only prohibited the employment of the men in a garden in which he, the accused, had an interest, and that the order, as so understood, was complied with by confining the labor of these men to a part of the garden which had been given to them for their own use. Whatever weight the Court may have considered the statement of the accused entitled to, as showing the innocence of his intent, it cannot avail to contradict the sworn testimony as to facts.

The pleas to the specifications under the second charge raised simply the issue whether the work done was for the benefit of the accused and whether it was done to the neglect of duty in the Quartermaster's Department. It is admitted that the laborers hired by the Government were caused by the accused to perform labor for the private benefit of individuals, and from which no profit resulted to the public. It is in evidence that this was done not merely at odd hours, but for entire days and for several consecutive days at different periods. The accused admits in his statement that the garden was his own and other evidence of the fact is not wanting. There is evidence of an arrangement by which the laborers were to have a share of the produce of their labor, but it appears that this arrangement was not made until about the middle of July, after a number of days labor had been bestowed upon the garden and there is ground for the inference that it was made after the reception of the order prohibiting such employment of the men. So far as can be ascertained from the record, the work done prior to about July 15th was at least in part for the benefit of the accused, and there is nothing but his own statement to relieve him from the charge of participating in the fruits of the labor performed subsequently to that date. The superintendent of the Quartermaster's depot testifies that at the time the men were employed in the garden, necessary work in the Quartermaster's Department was left undone, for want of hands to do it. The evidence offered in contradiction of this statement is purely negative in its character and proves nothing.

The allegations under the 3d charge rest upon the evidence above referred to, and the testimony of the Post Commander as to the statement made by the accused. Whether this statement was or was not deliberately false depends upon facts imperfectly shown.

The findings upon the 3d charge and the specification thereto are approved. The remaining findings are disapproved.

First Lieutenant *R. M. Taylor*, 20th Infantry, is released from arrest and restored to duty.

III...The General Court Martial which convened at Fort Abercrombie, D. T., by virtue of paragraph I, Special Orders No. 195, paragraph II, Special Orders No. 199, paragraphs I and II, Special Orders No. 206, and paragraph I, Special Orders No. 210, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Private *John Brochet*, Company "D," 6th Infantry.
2. Private *John Meier*, Company "D," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 2, 1873.

GENERAL ORDERS No. 83.

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of paragraph V, Special Orders No. 138, current series, from these Headquarters, and of which Colonel W. B. HAZEN, 6th Infantry, is President, were arraigned and tried:—

1st. Private *John Brochet*, Company "D," 6th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that Private *John Brochet*, Company 'D,' 6th Infantry, a duly enlisted soldier in the service of the United States, did desert said service and remain absent until arrested and brought back. $30.00 paid for his apprehension. This at Fort Buford, D. T., on or about the 19th day of May, 1873."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *John Brochet*, Company 'D,' 6th Infantry, did steal, take and carry away the following articles, the property of the United States, and for which Captain M. Bryant, 6th Infantry, Commanding Company 'D,' is responsible,

viz.: 1 B. L. Springfield rifled musket, model of 1868, cal. .50, money value $50.00; 11 rounds centre primed metallic cartridges and 1 haversack, money value of cartridges 66 cents, money value of haversack, 43 cents. This at Fort Buford, D. T., on or about the 19th day of May, 1873."

CHARGE III.—"Forgery, to the prejudice of good order and military discipline."

Specification I.—"In this: that Private *John Brochet*, Company 'D,' 6th Infantry, did present to Joseph Leighton, clerk in the employ of A. C. Leighton, post trader, a certain order, as follows:

'FORT BUFORD, D. T.,
'*May* 17, 1873.

'*The Post Trader*

'Will sell the bearer one (1) gallon of whiskey, for which he will pay cash.

'M. BRYANT,
Captain 6th Infantry,
Com'd'g Co. 'D.'

'Approved.

DAN'L HUSTON, JR.,
Lieut. Col. 6th Inf., Bvt. Colonel.'

which order was not signed by either of the officers whose names are appended thereto, but willfully and feloniously forged by Private *John Brochet*, Company 'D,' 6th Infantry."

Specification II.—"In this: that Private *John Brochet*, Company 'D,' 6th Infantry, did present to the post trader a certain order, as follows:

'FORT BUFORD, D. T.,
'*May* 17, 1873.

'$5.00.

'A. C. Leighton, post trader, will sell the bearer, John Brochet, enlisted man in 'D' Company, 6th Reg't Infantry, five (5) dollars worth of goods, the same to be collected at the next payment of the company.

'M. BRYANT,
Capt. 6th Infantry,
Com'd'g Co.'

which signature to said order was not written by Captain Bryant, but willfully and feloniously by Private *John Brochet*, Company 'D,' 6th Infantry. This at Fort Buford, D. T., on or about the 17th day of May, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, except the words, 'desert said service,' and substituting therefor the words, 'absent himself without authority,' of these words, Guilty, but of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty, but Guilty of 'absence without leave.'"

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE III.

Of the 1st *Specification*, "Guilty, except from and including the words, 'which order,' to the end of the specification inclusive, and substituting therefor the words, 'which purported to be signed by Captain

M. Bryant, 6th Infantry, and approved by Lieut. Colonel Daniel Huston, Jr., 6th Infantry, he, said Private *John Brochet*, Company 'D,' 6th Infantry, knowing the said signatures to be false, and with intent to obtain goods under false pretences,' of these words Guilty, but of the excepted words and part of specification, Not Guilty."

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty, except the word, 'Forgery,' substituting therefor the word, 'Conduct,' of this word Guilty, but of the excepted word, Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Brochet*, Company "D," 6th Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay for six* (6) *months. The Court is thus lenient on account of the long time the prisoner has been in confinement, and the further time that will elapse before the promulgation of his sentence.*"

2d. Private *John Meier*, Company "D," 6th Infantry.

CHARGE.—"Neglect of duty."

Specification.—"In this: that Private *John Meier*, Company 'D,' 6th Infantry, being a member of the guard, and a sentinel in charge of prisoners, did permit Private Charles N. Goldsmith, Company 'F,' 6th Infantry, one of said prisoners, to escape. This at Fort Buford, D. T., on or about the 7th day of July, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Meier*, Company "D," 6th Infantry, "*To forfeit to the United States ten* (10) *dollars of his pay for one* (1) *month.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *John Brochet*, Company "D," 6th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

In the foregoing case of Private *John Meier*, Company "D," 6th Infantry, it is evident from the record that the prisoner's plea of "Guilty" was entered under some misapprehension, as his statement sets forth facts inconsistent therewith. The plea and the statement, when considered together, afford no ground for conviction of the offence charged, and as no evidence was offered in support of the charge and specification, there is nothing upon which the findings can rest. The proceedings in this case are approved. The findings and sentence are disapproved.

Private *Meier* will be released from confinement and restored to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Private *William Woodhouse*, Company "H," 7th Infantry.
2. Private *Andrew McKinney*, Company "B," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., October 4, 1873.

GENERAL ORDERS No. 84.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph IV, Special Orders No. 138, current series, from these Headquarters, and of which Captain D. W. BENHAM, 7th Infantry, is President, were arraigned and tried:

1st. Private *William Woodhouse*, Company "H," 7th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *William Woodhouse*, Company 'H,' 7th U. S. Infantry, being a member of the guard, and having been placed in charge of certain prisoners, did allow one, Private James Kelly, Company 'H,' 7th Infantry, a prisoner under charge of desertion, to escape, thereby neglecting his duty as a sentinel. This at Camp Baker, M. T., on or about the 7th day of July, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *William Woodhouse*, Company "H," 7th Infantry.

2. Private *Andrew McKinney*, Company "B," 7th Infantry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In: that Private *Andrew McKinney*, Company 'B,' 7th Infantry, having been properly mounted as a member of the post guard, did become drunk on said guard. This at Fort Benton, M. T., on or about the 6th day of July, 1873."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In: that Private *Andrew McKinney*, Company 'B,' 7th Infantry, being a member of the post guard, was disrespectful to Corporal Joseph Geitner, Company 'B,' 7th Infantry, commander of said guard, and did conduct himself generally in a disorderly manner, being noisy and abusive. This at Fort Benton, M. T., on or about the 5th day of July, 1873."

Specification II.—"In this: that Private *Andrew McKinney*, Company 'B,' 7th Infantry, being a member of the post guard, and having had issued to him, as a member of such guard, twenty (20) rounds of centre primed metallic cartridges, cal. .50, did illegally dispose of nineteen (19) of said cartridges, and did, when asked by the commander of the guard what had become of them, reply, 'You can charge them to me,' or words to that effect. This at Fort Benton, M. T., on or about the 6th day of July, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty, except the words, 'illegally dispose of,' substituting therefor the word 'lose,' but attach no criminality thereto."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Andrew McKinney*, Company "B," 7th Infantry, "*To be confined at hard labor, in charge of the guard, for the period of three months, and to forfeit ten dollars per month of his monthly pay for the same period.*"

II...The proceedings, findings, and acquittal in the foregoing case of Private *William Woodhouse*, Company "H," 7th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Andrew McKinney*, Company "B," 7th Infantry, are approved, and the sentence will be duly executed.

III...The General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph IV, Special Orders No. 138, current series, from these Headquarters, is hereby dissolved.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

Private *Charles F. Fowzer*, Company "F," 2d Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 15, 1873.

GENERAL ORDERS No. 85.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of Special Orders No. 166, current series, from these Headquarters, and of which Major N. B. SWEITZER, 2d Cavalry, is President, was arraigned and tried:—

Private *Charles F. Fowzer*, Company "F," 2d Cavalry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Charles F. Fowzer*, Company 'F,' 2d Cavalry, did take, steal, and carry away three (3) blankets, the property of Mr. McRay, a citizen, and did appropriate the same to his own use. This at or near Bozeman, M. T., on or about the 22d day of August, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles F. Fowzer*, Company "F," 2d Cavalry, "*To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, to be confined in such penitentiary as the Department Commander may designate, for a period of one* (1) *year, then to be dishonorably discharged the service.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *Charles F. Fowzer*, Company "F," 2d Cavalry, are approved, and the sentence will be duly executed. The Minnesota State Prison, at Stillwater, Minn., is designated as the place of confinement.

III...The General Court Martial which convened at Fort Ellis, M. T., by virtue of Special Orders No. 166, current series, from these Headquarters, and of which Major N. B. SWEITZER, 2d Cavalry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 30, 1873.

GENERAL ORDERS No. 86.

Post Commanders will at once cause their respective Quartermasters to prepare and forward, through them, to these headquarters, the requisite annual estimates for supplies for the fiscal year ending June 30th, 1875, as follows:

1. FUEL.—To set forth the number and grade of officers; the number of enlisted men and laundresses; the number of offices, store houses, guard and hospital fires, &c., and the allowance in each case, agreeably to the Regulations, and also the total quantity required, from which will be deducted the probable quantity on hand July 1st, 1874. The estimate will also show the quantity on hand at date of estimate, and a line or column left blank to insert the quantity recommended by the reviewing officer at Department Headquarters.

2. FORAGE.—To set forth the number and kind of animals, whether horses, mules, or oxen, public or private, and whether for companies, bands, or in the Quartermaster's Department, &c., and otherwise, as in the case of fuel.

3. STRAW for Bedding.—To set forth the number of enlisted men, laundresses, horses, and mules, and for hospitals, and otherwise, as in the above cases.

4. STATIONERY.—To set forth the number of Company Commanders and other officers, the quantity required (in separate items) for Staff departments, military courts and boards, &c., and otherwise, as in the above cases

5. BARRACKS AND OFFICE FURNITURE, including material for manufacture and repairs. To show for what specific purpose the articles are required. Where the allowance is fixed by Regulations, the estimates will be made to conform thereto, and otherwise, as in above cases, so far as applicable.

6. MEANS OF TRANSPORTATION.—This estimate will embrace all

the articles for transportation service, such as mules, wagons, ambulances, harness, saddles and bridles for the Quartermaster's Department, and articles necessary for the outfit of trains, and for repairs, and otherwise, as in the above cases, so far as applicable. The column of remarks will show the specific purpose for which the articles are required, and the size, description, &c., of said articles.

7. Barracks and Quarters.—This estimate will embrace all the material required for new buildings, and for repairs (other than hospital); the kind and quantity for each building to be stated separately. In the case of new buildings, plans thereof must be sent. The size of sash, glass, doors, nails, &c., will be given, and otherwise, as in above cases, so far as applicable.

8. Hospitals, and Repairs to Same.—To correspond to the requirements in the case of barracks and quarters, and also to have the approval of the medical officer of the post, with his statement as to the nature and extent of the repairs, &c., desired.

9. Stoves, Pipe, &c.—Description and sizes to be given, and otherwise, as in above cases.

10. Machinery (including parts for repairs).—Sizes to be given, and when parts are required, accurate and complete descriptions should be stated, with name of maker, and otherwise, as in foregoing cases.

11. Horse Medicines and Veterinary Instruments.—To set forth the number of animals, public and private, and to conform to the allowance established by the War Department, and otherwise, as in foregoing cases.

12. Tools.—To embrace blacksmiths', carpenters', wheelwrights', masons', and miscellaneous tools, but each kind will be entered under its appropriate classification, and otherwise, as in foregoing cases.

13. Miscellaneous Stores for expenditure.—To cover all the articles required on account of the Quartermaster's Department, not specially estimated for as above. The size and special use for each article to be set forth, and otherwise, as in foregoing cases.

14.—Clothing and Equipage.—This estimate will be based on the maximum strength of companies, and will be made out agreeably to form No. 48, Quartermaster's Department, as published in War Department General Orders No. 7 of 1872.

The estimates for clothing and equipage will be made out and transmitted in *quadruplicate*, and the others in *triplicate*.

All of the foregoing called for estimates must be forwarded in time to reach these headquarters not later than December 1st, 1873.

When any of the articles required are procurable at or in the vicinity of the posts, the prices at which they can be obtained will be stated.

The estimates will be carefully examined and revised by Post Commanders, and be accompanied by such recommendations and remarks as they may deem necessary for the information of the Department Commander, or for the best interests of the service.

Suggestions are invited as to the best markets for procuring supplies, and particularly in the case of *fuel*, whether hard or soft wood or coal should be procured, and in the case of hay, as well as wood, whether the same can be cut from land within the military reservation.

In all cases where articles, in number or quantity, are required in excess of the allowance established by Regulations or Orders, such excessive quantity will be stated in a separate item, upon the appropriate estimate, and the exigency of the service, or the peculiar circumstances which render such action necessary, will be fully set forth.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

HEADQUARTERS, DEPARTMENT OF DAKOTA

Saint Paul, Minn., October 31, 1873.

GENERAL ORDERS
No. 87.

The following order in reference to Boards of Survey, Receiving Boards, and Inventory and Inspection Reports, is published for the information and guidance of all concerned; and all orders from these headquarters conflicting therewith, are hereby revoked:

BOARDS OF SURVEY AND RECEIVING BOARDS.

They will be called to examine public property damaged, except by fair wear and tear, or otherwise unsuitable for use, and for the purposes and in the manner contemplated by paragraphs 1019, 1020, 1022, 1024, 1027, 1036, 1037, 1147, and 1168, Revised Army Regulations of 1863.

When the responsible officer is the only officer at the post, he will, instead of detailing himself as a Board, as provided in paragraph 1020, Revised Army Regulations of 1863, furnish his own certificate of the facts of the case, supported by affidavits of non-commissioned officers of the post cognizant thereof; or should this not be satisfactory, the Department Commander, upon notification, may send an inspector to make the necessary report.

In all cases of damage or deficiency, the officer accountable for the property is required by law to show, by one or more depositions setting forth the circumstances of the case, that the deficiency was by unavoidable accident or loss in actual service, without any fault on his part; and in case of damage, that due care and attention was exercised on his part, and that the damage did not result from neglect. Such depositions, when used before a Board of Survey, must be affixed to its proceedings.

All persons concerned in the matter before a Board of Survey should be heard in person or by letter, and parties who *seem* responsible should, if possible, be notified to appear—in person or by affidavit—to show cause why they should not be held responsible. The Recorder should

communicate with such persons or parties, the Board adjourning from time to time to enable such evidence to be taken as will lead to a just and definite conclusion. The Board must fix the responsibility, if possible to do so. In cases where it fails to do so, it must state its reasons for such failure. All damage or deficiency chargeable against any person should be stated in dollars and cents, as well as in the number or quantity and kind of stores.

When stores are received at a military post, either by purchase or from the contractor supplying them, they will be examined by such a board of officers as may be required by the terms of the contract under which they are furnished, to determine whether the articles presented conform to the requirements of the contract. If the contract does not specify any form of examination, the Commanding Officer will cause an inspection to be made by an officer, to determine whether the articles presented conform to the requirements of the contract, and a certificate that such an inspection has been made, with the name of the officer making it, will be attached to or written on the voucher before payment.

When packages of military stores are opened for the first time after coming into possession of an officer of the army, he or some other commissioned officer shall be present at the opening, and shall verify the contents by actual weight, count, or measurement, as the case may require, and make a written report to the Post Commander as to the quantity, quality, and condition of the articles so inspected. If the officer accountable for the property be present and make the report, he will secure the attendance of one or more civilians or enlisted men to make the affidavits required by law in cases of deficiency and damage. If, on account of deficiency in or damage to the articles invoiced, a Board of Survey is convened, the Post Commander will turn over to it the report made to him by the examining officer. Such report, when sworn to, may be filed with the proceedings as evidence. A copy of, or sufficient extract from, the invoice in which a deficiency is found, will also be filed with the proceedings.

When military stores arrive at any post, and any deficiency or damage is found in said stores, or any unnecessary delay in the delivery is reported, the Commanding Officer will at once assemble a Board of Survey to investigate all the facts connected with such deficiency, damage, or delay, to report the apparent causes, to determine the exact deficiency, to assess the amount of damage or to determine the period of

delay, and to set forth whether the same is attributable to neglect or want of proper care on the part of the carrier, or to causes beyond his control. In the case of stores transported under contract, the Board, in its findings, will be governed by the terms of the contract. A copy of the original bill of lading will be affixed to one copy of the proceedings of the Board, and when the stores are received under a transportation contract, which requires that the receiving officer shall endorse the bill of lading in accordance with the findings of the Board, a copy of the proceedings will be furnished to the receiving officer by the Commanding Officer, so soon as acted upon by the latter.

Proceedings of Boards of Survey will be made in triplicate, and all three copies, after being reviewed by the authority convening the Board, will be forwarded to Department Headquarters for revision, and no action, except as hereinafter provided, will be taken under the recommendation of the Board until the proceedings have been revised by the Department Commander.

When Boards recommend the action of an inspector, and the recommendation is approved by the convening authority, the property will be inspected by the Post Commander, and the Inventory and Inspection Reports forwarded with the proceedings of the Board.

INVENTORY AND INSPECTION REPORTS.

Inspectors are designated under paragraphs 1021 and 1022, Revised Army Regulations of 1863. The reports should be made in strict accordance with the blank forms furnished. The recommendation of the inspector will be made under the respective headings of those forms.

Property which may have become damaged or unserviceable in any other manner than by ordinary wear and tear in legitimate use, should be acted upon by a Board of Survey before being presented for the action of an Inspector, and a copy of the proceedings of the Board relating thereto, be presented to the inspector.

In all cases of damaged property not submitted to a Board of Survey prior to inspection, the inventory must show, under the head of "How rendered unserviceable," that the damage was the result of ordinary wear and tear. If acted upon by a Board of Survey, this column will show that fact by the remark, "See Board of Survey, per Special Orders No. ———, of ———, 187 ." The proceedings of the Board

will be forwarded to Department Headquarters prior to or with the Inventory and Inspection Report.

Inventory and Inspection Reports will be forwarded in quadruplicate to Department Headquarters.

When condemned property is ordered to be destroyed, the destruction will be under the personal supervision of the Post Commander. When it is ordered to be sold at the post, and the quantity is too small to justify the expense of advertising, it will be packed up and kept until there is a sufficient accumulation of similar property to justify the expense.

In the case mentioned in paragraph 1023, Revised Army Regulations of 1863, where the immediate Commander "may have to act *perforce*," the property will be inspected and condemned, and a certificate of the disposition made on each inspection report.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 11, 1873.

GENERAL ORDERS
No. 88.

I...All civilian employees of the Quartermaster's Department in this command, employed on account of the appropriation for barracks and quarters, will, with the exception hereinafter made, be discharged immediately upon receipt of this order.

II...The authorized exception is where such men are employed in the construction or repairs of public buildings specially authorized during the present fiscal year, from these or superior headquarters, and in these cases the expenditures for services and material must not exceed the amount authorized.

III...Post Commanders are charged with the execution of this order; will acknowledge its receipt, and report action taken under it; and in the cases of men retained in service under paragraph II, will report the number and class of men so retained, their rate of pay, the work on which they are employed, the special authority for such work, and the probable time the services of the men will be required in the completion thereof.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

Captain *F. E. Grossmann*, 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., November 13, 1873.

GENERAL ORDERS No. 89.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 106, and paragraphs IV, V and VI, Special Orders No. 118, current series, from these Headquarters, and of which Colonel SAMUEL D. STURGIS, 7th Cavalry, is President, was arraigned and tried:—

Captain *F. E. Grossmann*, 17th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

CHARGE II.—"Violation of the 6th Article of War."

CHARGE III.—"Conduct unbecoming an officer and a gentleman."

To which charges, and the specifications thereto, the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*.—Special plea of the accused in bar of trial sustained by the Court.

To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Not Guilty."

To the 5th *Specification*, "Not Guilty."
To the 6th *Specification*, "Not Guilty."
To the 7th *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*.—Special plea of the accused in bar of trial sustained by the Court.

To the 2d *Specification*.—Special plea of the accused in bar of trial sustained by the Court.

To the CHARGE.—The accused did not plead, for want of specification.

CHARGE III.

To the 1st *Specification*, "Guilty, except the words, 'which statement that Lieut. Colonel William P. Carlin, 17th Infantry, commanding the post, retained said papers almost exclusively for his own use, was malicious and false.'"

To the 2d *Specification*, "Guilty, except the words, 'which is a willful misrepresentation of the action and language of the Commanding Officer, Lieut. Colonel William P. Carlin, 17th Infantry, the truth being that the Commanding Officer declined to discuss the merits or demerits of either the statement of Captain Moore and Captain Grossmann, and that he, the Commanding Officer, Lieut. Colonel William P. Carlin, 17th Infantry, said, that 'for some time past he had believed that he, Captain F. E. Grossman, 17th Infantry, and Captain Powell had been in collusion, consultation and co-operation, in efforts to annoy the Commanding Officer, and oppose him in his administration of affairs at the post.'"

To the 3d *Specification*, "Guilty, except the words, 'with the intention of deceiving the Department Commander,' and except the words, 'which remarks evade and suppress the truth in this, that Captain O. H. Moore, President of the Council, informed the Council that he should dissent from their action, and wrote out his dissent in their presence, during the session of said Council.'"

To the CHARGE, "Not Guilty."

Finding.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Charge I.

Of the 2d *Specification*, "Find the facts as stated, except the words, 'did attempt to lecture and upbraid,' but attach no criminality thereto, and of the excepted words, Not Guilty."

Of the 3d *Specification*, "Find the facts as stated, except the words, 'therein presuming to lecture his Commanding Officer, Lieut. Colonel William P. Carlin, 17th Infantry,' and 'accusing him, by implication at least, if not in express terms, of violating the regulations for the government of the Armies of the United States, and with substituting therefor arbitrary individual rules, in conflict with the letter and spirit of the regulations,' but attach no criminality thereto, and of the excepted words, Not Guilty."

Of the 4th *Specification*, "Find the facts as stated, except the words, 'belligerent manner,' and the words, 'through the representation and influence of some other person,' but attach no criminality thereto, and of the excepted words, Not Guilty."

Of the 5th *Specification*, "Find the facts as stated, except the words, 'in the absence of the other two members,' but attach no criminality thereto, and of the excepted words, Not Guilty."

Of the 6th *Specification*, "Guilty, but attach no criminality thereto."

Of the 7th *Specification*, "Find the facts as stated, except the words, 'attempt to avoid obedience to said order, by arguing that Captain O. H. Moore should also be ordered to expunge his remarks in the Council Book,' but attach no criminality thereto, and of the excepted words, Not Guilty."

Of the Charge, "Not Guilty."

Charge III.

Of the 1st *Specification*, "Guilty, except the words, 'malicious and false,' but attach no criminality thereto."

Of the 2d *Specification*, "Confirms the plea of the accused, but attach no criminality thereto."

Of the 3d *Specification*, "Confirms the plea of the accused, but attach no criminality thereto."

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Captain *F. E. Grossmann*, 17th U. S. Infantry.

II...In the foregoing case of Captain *F. E. Grossmann*, 17th Infantry, the action of the Court in sustaining the plea in bar to the 1st Specification of the 1st Charge, and overruling the pleas in bar to the 4th, 5th and 6th Specifications to the 1st Charge, is approved.

In the opinion of the reviewing officer, the action of the Court in sustaining the plea in bar to the 1st Specification to the 2d Charge, was clearly erroneous. The language used by Captain *Grossmann* was in the highest degree disrespectful to his Post Commander; it indicates an *intention* to be disrespectful and offensive. The defense, that it was used in a letter addressed to the Adjutant General of the Department, and therefore privileged, and the technical objection to the form of the Specification which the accused attempted to make, are not entitled to consideration. The plea should have been overruled, and the accused should have been tried on the merits of this Specification. The action of the Court in this regard, is disapproved.

For similar reasons, the action of the Court sustaining the plea in bar to the 2d Specification of the 2d Charge, is disapproved.

The findings of the Court upon the 2d, 3d, 4th, 5th, 6th and 7th Specifications of the 1st Charge, and the 1st Charge, are approved.

The findings upon the three Specifications of the 3d Charge, and upon the 3d Charge, are approved.

The reviewing authority deems it his duty to animadvert upon the conduct of the majority of the Post Council of Administration convened at Fort Abraham Lincoln, D. T., on the 31st day of December, 1872. the proceedings of which gave rise to some of the foregoing charges, of which majority Captain *Grossmann* was one. If the Post Commauder had through negligence, or even intentionally, improperly kept in his own possession newspapers bought by money belonging to the post fund, it was the right and the duty of the Company Officers of the post to make a respectful remonstrance; but until such remonstrance had been

made and had proved ineffectual, the course pursued by the Council of Administration was highly improper, and a gross violation of the 254th paragraph of the Regulations.

Captain *F. E. Grossmann*, 17th Infantry, has already been released from arrest and restored to duty.

III...The General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 106, and paragraphs IV, V and VI, Special Orders No. 118, current series, from these Headquarters, and of which Colonel SAMUEL D. STURGIS, 7th Cavalry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Musician *Charles Ramsey*, Company "D," 22d Infantry.
2. Private *Hermann Celick*, Company "F," 22d Infantry.
3. Private *Charles J. Young*, Company "G," 22d Infantry.
4. Private *Charles Good*, Company "C," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 17, 1873.

GENERAL ORDERS No. 91.

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph III, Special Orders No. 228, current series, from these Headquarters, and of which Captain C. A. WEBB, 22d Infantry, is President, were arraigned and tried:—

1st. Musician *Charles Ramsey*, Company "D," 22d Infantry.

CHARGE.—"Drunkenness on duty, in violation of the 45th Article of War."

Specification.—"In this: that he, Musician *Charles Ramsey*, Company 'D,' 22d Infantry, being regularly detailed and on duty as musician of the guard, did become so drunk as to be unable to perform his duties. All this at Fort Randall, D. T., on or about the 19th day of August, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *Charles Ramsey*, Company "D," 22d Infantry, "*To be confined at hard labor, under charge of the post guard, at the post where his Company may be serving, for three* (3) *months, and to forfeit to the United States ten* (10) *dollars of his monthly pay, for the same period.*"

2. Private *Hermann Celick*, Company "F," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Hermann Celick*, Company 'F,' 22d U. S. Infantry, having been duly enlisted in the military service of the United States, December 28, 1871, did desert said service, and remain absent therefrom till apprehended and arrested at Sioux City, Iowa, on or about July 25th, 1873. This at the Big Sioux River, D. T., on or about the 1st day of July, 1873."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Hermann Celick*, Company 'F,' 22d U. S. Infantry, did feloniously steal, carry away, or otherwise dispose of to his own use and benefit, the following ordnance and ordnance stores, the property of the United States, viz.: one Springfield B. L. rifle musket, valued at $50.00, one haversack and one canteen complete, valued at $81–100, one gun-sling 46 inches, valued at $60–100, two great-coat straps, valued at $27–100, one cartridge box belt plate, valued at $8–100, and one tompion, valued at $2–100. All this at Big Sioux River, D. T., on or about the 1st day of July, 1873."

CHARGE III.—"Violation of the 22d Article of War."

Specification.—"In this: that he, Private *Hermann Celick*, Company 'F,' 22d Infantry, being a duly enlisted soldier in Company 'H,' 2d battalion, 16th U. S. Infantry, under the name of *Hermann Zelis*, did absent himself therefrom without a regular discharge, and enlist in the 22d U. S. Infantry band. All this at Memphis, Tennessee, 1866, and Fort Sully, D. T., December 20th, 1868."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty, except the following words, 'one haversack and one canteen complete, valued at $81–100, one gun-sling 46 inches, valued at $60–100, two great-coat straps, valued at $27–100, one cartridge box belt plate, valued at $8–100, and one tompion, valued at $2–100,' of the excepted words, Not Guilty."
To the CHARGE, "Guilty."

CHARGE III.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty, except the following words, 'one tompion, valued at $2–100,' of the excepted words, Not Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Hermann Celick*, Company "F," 22d Infantry, "*To forfeit to the United States all pay and allowances that is due or may become due, to be confined in such penitentiary as the Commanding General may direct, for the term of three* (3) *years, then to be dishonorably discharged the service of the United States.*"

3. Private *Charles J. Young*, Company "G," 22d Infantry.

CHARGE.—"Drunkenness on duty, in violation of the 45th Article of War."

Specification.—"In this: that he, Private *Charles J. Young*, Company 'G,' 22d Infantry, being regularly notified by 1st Sergeant *Breed*, Company 'G,' 22d Infantry, that he was for guard, did appear on the parade ground of Fort Randall, D. T., at guard mounting, so much under the influence of liquor as to be unable to perform his duty. All this at Fort Randall, D. T., on or about the morning of the 10th of September, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles J. Young*, Company "G," 22d Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay, for four* (4) *months.*"

4. Private *Charles Good*, Company "C," 22d Infantry.

CHARGE.—"Sleeping on post, in violation of the 46th Article of War."

Specification.—"In this: that he, Private *Charles Good*, Company 'C,' 22d Infantry, having been duly posted as a sentinel over the corral and stables, did go to sleep on his post, and remained asleep until awakened by the non-commissioned officer of the guard. This at or near military station Lower Brulé Agency, D. T., on or about the 19th day of August, 1873, between the hours of 12.30 and 1.30 o'clock A. M."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'non-commissioned officer of the guard,' substituting therefor 'relief,' of the excepted words, Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Good*, Company "C," 22d Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay, for three* (3) *months, and to be confined at hard labor under charge of the guard, for sixty* (60) *days.*"

II...The proceedings, findings, and sentences in the foregoing cases of Musician *Charles Ramsey*, Company "D," Privates *Hermann Celick*, Company "F," *Charles J. Young*, Company "G," and *Charles Good*, Company "C," 22d Infantry, are approved, and the sentences will be duly executed. Private *Charles J. Young* will be released from confinement and restored to duty. The Minnesota State Prison, at Stillwater, Minn., is designated as the place of confinement of Private *Hermann Celick*, Company "F," 22d Infantry.

III...The General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph III, Special Orders No. 228, current series, from these headquarters, and of which Captain *C. A. Webb*, 22d Infantry, is President, is hereby dissolved.

By Command of Brigadier General Terry.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

Private *John Geaney*, Company "E," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 21, 1873.

GENERAL ORDERS No. 92.

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of paragraph V, Special Orders No. 138, current series, from these Headquarters, and of which Colonel W. B. HAZEN, 6th Infantry, is President, was arraigned and tried:—

Private *John Geaney*, Company "E." 6th Infantry.

CHARGE.—"Sleeping on post, in violation of the 46th Article of War."

Specification.—"In this: that he, Private *John Geaney*, Company 'E,' 6th Infantry, having been duly mounted as a member of the post guard, and posted as a sentinel on Post No. 4, was found sleeping on his post between the housr of one and two A. M., on the morning of the 9th day of June, 1873. This at Fort Buford, D. T., on the date above specified.

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Geaney*, Company "E," 6th Infantry, "*To be confined at hard labor, for four* (4) *months, and to forfeit to the United States five* (5) *dollars per month of his pay for the same period.*"

II...The proceedings, findings and sentence in the foregoing case of Private *John Geaney*, Company "E," 6th Infantry, are approved, but upon the unanimous recommendation of the members of the Court, so much of the sentence as relates to confinement at hard labor, is remitted. He will be released from confinement and restored to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 22, 1873.

GENERAL ORDERS }
No. 93. }

Major *T. F. Barr*, Judge Advocate, U. S. A., having reported at these headquarters in compliance with paragraph II, Special Orders No. 171, current series, War Department, Adjutant General's office, is announced as Judge Advocate of the Department. He will be obeyed and respected accordingly.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 23, 1873.

GENERAL ORDERS
No. 94.

The following Roster is published for the information of this command.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

ROSTER OF TROOPS

Department of Dakota,

BRIG. GEN. ALFRED H. TERRY,

COMMANDING.

HEADQUARTERS, ST. PAUL, MINN.

NOVEMBER 1, 1873.

Department of Dakota,

COMMANDED BY

BRIGADIER GENERAL ALFRED H. TERRY.

TROOPS.

Cavalry.—Companies "F," "G," "H," and "L," of 2d, and the 7th Regiment.

Infantry.—6th, 7th, 17th, 20th, and 22d Regiments.

PERSONAL STAFF.

Captain E. W. Smith, 18th Infantry, Aide-de-Camp.

Captain R. P. Hughes, 3d Infantry, Aide-de-Camp.

First Lieutenant E. B. Gibbs, 6th Infantry, Aide-de-Camp.

DEPARTMENT STAFF.

Major O. D. Greene, Adjutant General's Department, Assistant Adjutant General.

Major W. H. Lewis, 7th Infantry, Acting Assistant Inspector General.

Major T. F. Barr, Judge Advocate, U. S. A., Judge Advocate.

Major B. C. Card, Quartermaster, U. S. A., Chief Quartermaster of the Department, Depot and Purchasing Quartermaster.

First Lieutenant E. B. Gibbs, 6th Infantry, A. D. C., Post Quartermaster.

Major Beekman Du Barry, Commissary of Subsistence, U. S. A., Chief Commissary of Subsistence of the Department, Depot, Purchasing and Post Commissary of Subsistence.

Surgeon J. F. Head, U. S. A., Medical Director, and Attending Surgeon.

Major A. H. Seward, Pay Department, Chief Paymaster.

Captain William Ludlow, Corps of Engineers, U. S. A., Chief Engineer.

STAFF OFFICERS ON DUTY IN THE DEPARTMENT, NOT ON THE DEPARTMENT STAFF.

PAY DEPARTMENT.

Major Rodney Smith—Station, St. Paul, Minn.—pays troops in the former District of Minnesota.

Major R. C. Walker—Station, Helena, M. T.—pays troops in the District of Montana.

Major Wm. Smith—Station, Saint Paul, Minn.—pays troops on the Missouri River, from Fort Rice to Fort Buford, D. T., inclusive.

Major G. W. Candee—Station, Sioux City, Iowa—pays troops on the Missouri River, from Sioux City to Grand River Agency, D. T., inclusive.

QUARTERMASTER'S DEPARTMENT.

Captain G. B. Dandy, Assistant Quartermaster, Fort Abraham Lincoln, D. T.

*Captain E. D. Baker, Assistant Quartermaster, unassigned.

Captain J. W. Scully, Assistant Quartermaster, Fort Rice, D. T.

Captain C. W. Foster, Assistant Quartermaster, Depot Quartermaster, Acting Commissary of Subsistence, and Acting Ordnance Officer, Sioux City, Iowa.

Captain Charles McClure, Commissary of Subsistence, U. S. A., Acting Assistant Quartermaster, Sioux City, Iowa.

Captain T. B. Hunt, Assistant Quartermaster, Fort Seward, D. T.

Captain L. C. Forsyth, Assistant Quartermaster, District and Post Quartermaster, Fort Ellis, M. T.

*Captain Hamilton Lieber, Military Storekeeper.

Roster of Troops.

STATION.	OFFICERS.	TROOPS.
Fort Snelling, Minn.	Colonel George Sykes. Second Lieutenant J. B. Rodman, Adjutant. First Lieutenant T. W. Lord, R. Q. M., A. A. Q. M., and A. C. S., and in charge of Clothing Depot.	Headquarters, 20th Infantry.
	Captain H. G. Thomas. First Lieutenant J. S. Stafford. Second Lieutenant W. H. Low, Jr.	Company "C," 20th Infantry.
	*Captain J. N. Coe. First Lieutenant John Bannister. Second Lieutenant W. W. Wood.	Company "H," 20th Infantry.
	*Captain Hamilton Lieber, M. S. K., U. S. A. Surgeon A. Heger.	
Fort Ripley, Minn.	Captain J. C. Bates. *First Lieutenant Alexander Wishart. Second Lieutenant J. F. Huston, Post Adj.	Company "B," 20th Infantry.
	Captain W. S. McCaskey. First Lieutenant J. A. Manley. Second Lieutenant W. H. Hamner, A. A. Q. M., and A. C. S.	Company "G," 20th Infantry.
	*First Lieutenant J. A. Yeckley. Acting Assistant Surgeon J. J. DeLamater.	Attached.
Fort Abercrombie, D. T.	Colonel T. L. Crittenden. *First Lieutenant Horatio Potter, Jr., Adjutant. First Lieutenant T. G. Troxel, R. Q. M., A. A. Q. M., and A. C. S.	Headquarters, 17th Infantry.
	Captain W. M. Van Horne. First Lieutenant W. P. Rogers. *Second Lieutenant D. H. Brush.	Company "A," 17th Infantry.
	Captain C. E. Bennett. First Lieutenant H. S. Howe. Second Lieutenant Alexander Ogle.	Company "F," 17th Infantry.
	Acting Assistant Surgeon H. H. Ruger.	

* See Memoranda.

STATIONS.	OFFICERS.	TROOPS.
Fort Wadsworth, D. T.	Major R. E. A. Crofton.	17th Infantry.
	*Captain E. P. Pearson. First Lieutenant L. M. O'Brien, Post Adjutant, A. A. Q. M., and A. C. S. Second Lieutenant Charles Metcalfe.	Company "B," 17th Infantry.
	*Captain Malcolm McArthur. First Lieutenant F. D. Garretty. Second Lieutenant R. T. Lyons.	Company "C," 17th Infantry.
	Acting Assistant Surgeon C. E. McChesney. *Chaplain Hiram Stone.	
Fort Seward, D. T.	Captain J. H. Patterson *First Lieutenant R. M. Taylor. *Second Lieutenant C. H. Ribbel.	Company "A," 20th Infantry.
	Captain T. B. Hunt, A. Q. M., Post Quartermaster and A. C S. Acting Assistant Surgeon E. W. Du Bose.	
Fort Totten, D T.	Lieutenant Colonel L. C. Hunt. *Major M. A. Reno.	20th Infantry. 7th Cavalry.
	Captain T. B. Weir. First Lieutenant J. M. Bell. *Second Lieutenant W. S. Edgerly. *Second Lieutenant R. H. L. Alexander, attached.	Company "D," 7th Cavalry.
	Captain M. W. Keogh. First Lieutenant J. E. Porter, Post Adj't. Second Lieutenant A. H. Nave.	Company "I," 7th Cavalry.
	Captain William Fletcher. First Lieutenant L. M. Morris, A. A. Q. M. and A. C. S. Second Lieutenant Herbert Cushman.	Company "E," 20th Infantry.
	*Captain A. A. Harbach. First Lieutenant C. O. Bradley. *Second Lieutenant H. W. Howgate.	Company "K," 20th Infantry.
	Acting Assistant Surgeon J. B. Ferguson.	Twelve Indian scouts.

*See Memoranda.

STATIONS.	OFFICERS.	TROOPS.
Fort Pembina, D. T.	Major J. E. Yard.	20th Infantry.
	Captain William Stanley. *First Lieutenant J. A. Yeckley.	Company "D," 20th Infantry.
	Captain J. S. McNaught. First Lieutenant W. R. Maize, Post Adj't.	Company "F," 20th Infantry.
	Captain Loyd Wheaton. First Lieutenant Paul Harwood, A. A. Q. M. and A. C. S. Second Lieutenant J. G. Gates.	Company "I," 20th Infantry.
	Assistant Surgeon Ezra Woodruff.	

Middle District.

Fort Sully, D. T.	Colonel D. S. Stanley. *Major J. N. G. Whistler. *First Lieutenant H. H. Ketchum, Adjutant. First Lieutenant P. M. Thorne, R. Q. M., A. A. Q. M., and A. C. S.	Headquarters, 22d Infantry.
	Captain J. B. Irvine. *First Lieutenant G. S. L. Ward. *Second Lieutenant O. D. Ladley.	Company "A," 22d Infantry.
	Captain C. J. Dickey. *First Lieutenant W. W. Daugherty. Second Lieutenant J. McA. Webster.	Company "E," 22d Infantry.
	Captain Francis Clarke. First Lieutenant William Conway. Second Lieutenant E. W. Casey.	Company "I," 22d Infantry.
	Captain Mott Hooton. First Lieutenant M. E. Hogan. Second Lieutenant W. H. Kell.	Company "K," 22d Infantry.
	Surgeon J. P. Wright. Acting Assistant Surgeon A. I. Comfort. Chaplain G. D. Crocker.	Five Indian scouts.

* See Memoranda.

STATIONS.	OFFICERS.	TROOPS.
Fort Rice, D. T.	Major J. G. Tilford.	7th Cavalry.
	Captain V. K. Hart. First Lieutenant James Calhoun. Second Lieutenant H. M. Harrington.	Company "C," 7th Cavalry.
	Captain F. W. Benteen. First Lieutenant F. M. Gibson. Second Lieutenant C. C. De Rudio.	Company "H," 7th Cavalry.
	*Captain Owen Hale First Lieutenant E. S. Godfrey. Second Lieutenant John Aspinwall, Post Adjutant and A. C. S.	Company "K," 7th Cavalry.
	Captain T. H. French. First Lieutenant E. G. Mathey. *Second Lieutenant R. H. L. Alexander.	Company "M," 7th Cavalry.
	Captain J. W. Scully, A. Q. M., Post Quartermaster. Assistant Surgeon J. W. Williams. Acting Assistant Surgeon S. J. Allen, Jr.	Seventeen Indian scouts.
Fort Abraham Lincoln, D. T.	Lieutenant Colonel G. A. Custer. Lieutenant Colonel W. P. Carlin.	7th Cavalry. 17th Infantry.
	Captain Myles Moylan. *First Lieutenant A. E. Smith. Second Lieutenant C. A. Varnum.	Company "A," 7th Cavalry.
	Captain William Thompson. First Lieutenant T. W. Custer. Second Lieutenant B. H. Hodgson, A. C. S.	Company "B," 7th Cavalry.
	*Captain C. S. Ilsley. *First Lieutenant T. M. McDougall. Second Lieutenant W. T. Craycroft.	Company "E," 7th Cavalry.
	Captain G. W. Yates. *First Lieutenant Henry Jackson. *Second Lieutenant C. W. Larned.	Company "F," 7th Cavalry.
	*Captain J. E. Tourtellotte. First Lieutenant Donald McIntosh. Second Lieutenant G. D. Wallace.	Company "G," 7th Cavalry.
	*Captain M. V. Sheridan. *First Lieutenant J. F. Weston. *Second Lieutenant Charles Braden.	Company "L," 7th Cavalry.
	Captain J. S. Poland. First Lieutenant William Badger. Second Lieutenant Nelson Bronson.	Company "A," 6th Infantry.
	*Captain O. H. Moore. First Lieutenant John Carland. *Second Lieutenant T. M. Willey.	Company "B," 6th Infantry.
	Captain F. E. Grossmann. *First Lieutenant Henry Marcotte. *Second Lieutenant J. M. Burns.	Company "H," 17th Infantry.
	Captain G. B. Dandy, A. Q. M., Post Q. M. Acting Assistant Surgeon F. A. Davis. Acting Assistant Surgeon John La Baree.	Fifty Indian scouts.

*See Memoranda.

STATIONS.	OFFICERS.	TROOPS.
Fort Stevenson, D. T.	Lieutenant Colonel Daniel Huston, Jr.	6th Infantry.
	Captain J. P. Schindel. *First Lieutenant E. B. Atwood. Second Lieutenant C. L. Gurley.	Company "H," 6th Infantry.
	*Captain W. M. Wherry. First Lieutenant D. M. Lee. Second Lieutenant R. E. Thompson, Post Adjutant.	Company "K," 6th Infantry.
	Acting Assistant Surgeon John Harvey. Acting Assistant Surgeon J. A. McKinney.	Ten Indian scouts.
Fort Randall, D. T.	*Lieutenant Colonel E. S. Otis.	22d Infantry.
	Captain John Hartley. *First Lieutenant W. J. Reedy. Second Lieutenant J. M. Gore.	Company "B," 22d Infantry.
	Captain C. A. Webb. *First Lieutenant N. D. Badger. Second Lieutenant G. Von Blucher	Company "D," 22d Infantry.
	Captain A. H. Goodloe. First Lieutenant C. C. Cusick. Second Lieutenant J. E. Macklin.	Company "F," 22d Infantry.
	Captain C. W. Miner. First Lieutenant B. C. Lockwood, Post Adj. Second Lieutenant W. J. Campbell, A. A. Q. M. and A. C. S.	Company "G," 22d Infantry.
	*Captain De W. C. Poole. First Lieutenant L. E. Campbell. Second Lieutenant O. M. Smith.	Company "H," 22d Infantry.
	*Surgeon J. F. Weeds. Assistant Surgeon J. P. Kimball. Acting Assistant Surgeon H. R. Porter. Chaplain J. F. Fish.	
Lower Brulé Agency, D. T.	Captain Joseph Bush. *First Lieutenant T. H. Fisher. Second Lieutenant F. L. Davies, Post Adjutant, A. A. Q. M., and A. C. S.	Company "C," 22d Infantry.
	Acting Assistant Surgeon J. C. Byrnes.	
Cheyenne Agency, D. T.	Captain Carlile Boyd. First Lieutenant C. S. Roberts, A. A. Q. M. and A. C. S. Second Lieutenant George Ruhlen, Post Adj.	Company "I," 17th Infantry.
	Captain J. H. Donovan. First Lieutenant C. H. Greene. *Second Lieutenant Robert Cairns.	Company "K," 17th Infantry.
	Acting Assistant Surgeon O. H. Luse.	

*See Memoranda.

STATIONS.	OFFICERS.	TROOPS.
Grand River Agency, D. T.	*Captain Edward Collins. First Lieutenant C. P. McTaggart, Post Adjutant, A. A. Q. M., and A. C. S.	Company "E," 17th Infantry.
	Captain L. H. Sanger. *First Lieutenant J. H. Rice. Second Lieutenant G. H. Roach.	Company "G," 17th Infantry.
	Acting Assistant Surgeon A. H. Mann.	
Camp Hancock, D. T.	Captain C. E. Clarke. First Lieutenant James Humbert, A.A.Q.M Second Lieutenant Josiah Chance.	Company "D," 17th Infantry.
	Acting Assistant Surgeon W. T. Thackeray.	

District of Montana.

Fort Shaw, M. T.	*Colonel John Gibbon. Lieutenant Colonel C. C. Gilbert *Major W. H. Lewis. First Lieutenant H. M. Benson, Adjutant. First Lieutenant J. W. Jacobs, R. Q. M., A. A. Q. M., and A. C. S.	Headquarters, 7th Infantry.
	Captain D. W. Benham. First Lieutenant William Quinton. Second Lieutenant C. A. Worden.	Company "C," 7th Infantry.
	Captain Richard Comba. First Lieutenant Daniel Robinson. Second Lieutenant J. T. Van Orsdale.	Company "D," 7th Infantry.
	*Captain Walter Clifford. First Lieutenant W. I. Reed.	Company "E," 7th Infantry.
	Captain Constant Williams. First Lieutenant L. F. Burnett. *Second Lieutenant W. L. English.	Company "F," 7th Infantry.
	Captain G. L. Browning. First Lieutenant G. H. Wright. Second Lieutenant H. A. Irgens.	Company "G," 7th Infantry.
	*Captain C. C. Rawn. *First Lieutenant William Logan. Second Lieutenant A. V. Amet.	Company "I," 7th Infantry.
	Captain J. M. J. Sanno. First Lieutenant A. H. Jackson. Second Lieutenant C. A. Woodruff.	Company "K," 7th Infantry.
	Acting Assistant Surgeon N. H. Marselis. Acting Assistant Surgeon P. R. Brown.	

*See Memoranda.

STATIONS.	OFFICERS.	TROOPS.
Fort Benton, M. T.	Captain T. S. Kirtland. First Lieutenant J. H. Bradley, A. A. Q. M. and A. C. S. Second Lieutenant C. A. Booth, Post Adjt.	Company "B," 7th Infantry.
	Assistant Surgeon J. D. Hall.	
Camp Baker, near Diamond City, M. T.	Captain H. B. Freeman. First Lieutenant W. H. Nelson, A. A. Q. M. and A. C. S. Second Lieutenant F. M. H. Kendrick, Post Adjutant.	Company "H," 7th Infantry.
	Acting Assistant Surgeon G. S. Oldmixon.	
Fort Ellis, M. T.	Major N. B. Sweitzer.	2d Cavalry.
	Captain G. L. Tyler. *First Lieutenant F. C. Grugan. Second Lieutenant C. F. Roe.	Company "F," 2d Cavalry.
	Captain S. H. Norton. First Lieutenant G. C. Doane. Second Lieutenant E. J. McClernand.	Company "G," 2d Cavalry.
	*Captain Edward Ball. First Lieutenant J. G. McAdams, A. C. S. Second Lieutenant L. H. Jerome.	Company "H," 2d Cavalry.
	Captain Lewis Thompson. First Lieutenant S. T. Hamilton. Second Lieutenant C. B. Schofield, Post Adjutant.	Company "L," 2d Cavalry.
	Captain D. P. Hancock. First Lieutenant C. A. Coolidge. Second Lieutenant W. St. C. Long.	Company "A," 7th Infantry.
	Captain L. C. Forsyth, A. Q. M., District and Post Quartermaster. *Assistant Surgeon J. H. Kinsman. Acting Assistant Surgeon R. M. Whitefoot. Acting Assistant Surgeon W. C. W. Glazier.	

* See Memoranda.

Independent Post.

STATIONS.	OFFICERS.	TROOPS.
Fort Buford, D. T.	Colonel W. B. Hazen. *Major J. P. Roy. First Lieutenant J. F. Munson, Adjutant. *First Lieutenant C. G. Penney, R. Q. M.	Headquarters, 6th Infantry.
	Captain J. W. Powell, Jr. *First Lieutenant E. B. Gibbs. *Second Lieutenant A. M. Wetherill.	Company "C," 6th Infantry.
	Captain Montgomery Bryant. First Lieutenant F. W. Thibaut. Second Lieutenant T. G. Townsend.	Company "D," 6th Infantry.
	Captain Thomas Britton. First Lieutenant W. H. H. Crowell, A. A. Q. M. *Second Lieutenant R. T. Jacob, Jr.	Company "E," 6th Infantry.
	*Captain W. W. Sanders. First Lieutenant R. H. Day. *Second Lieutenant D. L. Craft.	Company "F," 6th Infantry.
	Captain H. S. Hawkins. *First Lieutenant Stephen Baker. Second Lieutenant S. W. Groesbeck.	Company "G," 6th Infantry.
	*Captain E. R. Ames. *First Lieutenant D. H. Murdock. Second Lieutenant G. B. Walker.	Company "I," 6th Infantry.
	Assistant Surgeon J. V. D. Middleton. Acting Assistant Surgeon William Barbour.	Twenty-nine Indian scouts.

Headquarters, 7th Cavalry.

St. Paul, Minn.	Colonel S. D. Sturgis. *Major Lewis Merrill. *First Lieutenant W. W. Cook, Adjutant. First Lieutenant H. J. Nowlan, R. Q. M.	Headquarters, 7th Cavalry.

* See Memoranda.

MEMORANDA.

OFFICERS ABSENT FROM THEIR PROPER STATIONS.

Colonel JOHN GIBBON, 7th Infantry, on leave of absence for six months, per Special Orders No. 179, current series, War Department, Adjutant General's office.

Lieutenant Colonel E. S. OTIS, 22d Infantry, on leave of absence since June 4, 1873, for six months, on Surgeon's certificate of disability.

Surgeon J. F. WEEDS, U. S. A., absent, sick, on Surgeon's certificate of disability.

Major LEWIS MERRILL, 7th Cavalry, on leave of absence since June 4, 1873, for one year, on Surgeon's certificate of disability.

Major M. A. RENO, 7th Cavalry, on leave of absence, on Surgeon's certificate of disability.

Major J. P. ROY, 6th Infantry, on Recruiting Service in command of depot at Governor's Island, New York Harbor.

Major W. H. LEWIS, 7th Infantry, Acting Assistant Inspector General of the Department.

Major J. N. G. WHISTLER, 22d Infantry, on Recruiting Service at Newport Barracks, Kentucky.

Captain E. D. BAKER, Assistant Quartermaster, on leave of absence for thirty days, per Special Orders No. 229, current series, from these headquarters. Extended sixty days, per Special Orders No. 225, current series, War Department, Adjutant General's office.

Captain HAMILTON LIEBER, Military Storekeeper, on leave of absence for thirty days, on Surgeon's certificate of disability, per Special Orders No. 239, current series, from these headquarters. Extended eleven months, with permission to go beyond the sea, per Special Orders No. 226, current series, War Department, Adjutant General's office.

Assistant Surgeon J. H. KINSMAN, granted leave of absence for sixty days, per Special Orders No. 67, current series, Headquarters Military Division of the Missouri.

Chaplain HIRAM STONE, absent, sick, on Surgeon's certificate of disability.

Captain EDWARD BALL, 2d Cavalry, granted leave of absence for six months, per Special Orders No 211, current series, War Department, Adjutant General's office.

Captain J. E. TOURTELLOTTE, 7th Cavalry, Aide-de-Camp to General W. T. Sherman, Commanding Army of the United States.

Captain M. V. SHERIDAN, 7th Cavalry, Aide-de-Camp to Lieutenant General P. H. Sheridan, Commanding Military Division of the Missouri.

Captain OWEN HALE, 7th Cavalry, granted leave of absence for six months, per Special Orders No. 207, current series, War Department, Adjutant General's office.

Captain C. S. ILSLEY, 7th Cavalry, Aide-de-Camp to Brigadier General John Pope, Commanding Department of the Missouri.

Captain O. H. MOORE, 6th Infantry, on General Recruiting Service, at Louisville, Kentucky.

Captain W. W. SANDERS, 6th Infantry, Aide-de-Camp to Brevet Major General W. H. Emory, Commanding Department of the Gulf.

Captain E. R. AMES, 6th Infantry, on leave of absence for thirty days, per Special Orders No. 57, current series, from these headquarters. Extended thirty days, per Special Orders No. 68, current series, Headquarters Military Division of the Missouri. Further extended sixty days, per Special Orders No. 38, current series, Headquarters of the Army.

Captain W. M. WHERRY, 6th Infantry, Aide-de-Camp to Major General J. M. Schofield, Commanding Military Division of the Pacific, and the Department of California.

Captain C. C. RAWN, 7th Infantry, absent, sick, on Surgeon's certificate of disability.

Captain WALTER CLIFFORD, 7th Infantry, absent, sick, since January 11, 1872.

Captain E. P. PEARSON, 17th Infantry, on leave of absence, since October 3, 1873, for six months, per Special Orders No. 142, current series, War Department, Adjutant General's office.

Captain EDWARD COLLINS, 17th Infantry, granted leave of absence for thirty days, with permission to apply for an extension of six months, per Special Orders No. 162, current series, from these headquarters.

Captain MALCOLM MCARTHUR, 17th Infantry, granted leave of absence for thirty days, with permission to apply for an extension of four months, per Special Orders No. 236, current series, from these headquarters.

Captain A. A. HARBACH, 20th Infantry, on leave of absence for thirty days, with permission to apply for an extension of four months, per Special Orders No. 244, current series, from these headquarters.

Captain JOHN N. COE, 20th Infantry, on General Recruiting Service at Cleveland, Ohio.

Captain DE W. C. POOLE, 22d Infantry, on leave of absence since October 9, 1873, for thirty days, per Special Orders No. 172, current series, from these headquarters. Extended five months, per Special Orders No. 207, current series, War Department, Adjutant General's office.

First Lieutenant F. C. GRUGAN, 2d Cavalry, on detached service under orders of the Chief Signal Officer of the Army, per Special Orders No. 127, current series, War Department, Adjutant General's office.

First Lieutenant T. M. MCDOUGALL, 7th Cavalry, on leave of absence for thirty days, with permission to apply for an extension of five months, per Special Orders No. 148, current series, from these headquarters.

First Lieutenant W. W. COOK, Adjutant 7th Cavalry, on leave of absence since July 28, 1873, for six months, with permission to go beyond the sea, per Special Orders No. 153, current series, War Department, Adjutant General's office.

First Lieutenant HENRY JACKSON, 7th Cavalry, on detached service in the office of the Chief Signal Officer of the Army, per Special Orders No. 306, of 1871, War Department, Adjutant General's office.

First Lieutenant J. F. WESTON, 7th Cavalry, on leave of absence for thirty days, with permission to apply for an extension of twenty days, per Special Orders No. 247, current series, from these headquarters.

First Lieutenant A. E. SMITH, 7th Cavalry, on leave of absence for thirty days, per Special Orders No. 140, current series, from these headquarters. Extended five months, per Special Orders No. 165, current series, War Department, Adjutant General's office.

First Lieutenant STEPHEN BAKER, 6th Infantry, on General Recruiting Service, at Buffalo, New York.

First Lieutenant D. H. MURDOCK, 6th Infantry, on leave of absence since May 24, 1873, for one year, per Special Orders No. 44, current series, War Department, Adjutant General's office.

First Lieutenant C. G. PENNEY, R. Q. M., 6th Infantry, on leave of absence for thirty days, per Special Orders No. 139, current series, from these headquarters. Extended thirty days, per Special Orders No. 65, current series, Headquarters Military Division of the Missouri. Further extended four months, per Special Orders No. 162, current series, War Department, Adjutant General's office.

First Lieutenant E. B. GIBBS, 6th Infantry, Aide-de-Camp to Brigadier General A. H. Terry, Commanding the Department.

First Lieutenant E. B. ATWOOD, 6th Infantry, granted leave of absence for thirty days, with permission to apply for an extension of four months, per Special Orders No. 193, current series, War Department, Adjutant General's office.

First Lieutenant WILLIAM LOGAN, 7th Infantry, on General Recruiting Service at Dubuque, Iowa.

First Lieutenant HENRY MARCOTTE, 17th Infantry, on General Recruiting Service at Newport Barracks, Kentucky.

First Lieutenant HORATIO POTTER, Jr., Adjutant, 17th Infantry, on leave of absence for thirty days, on Surgeon's certificate of disability, per Special Orders No. 214, current series, from these headquarters. Extended five months, with permission to go beyond the sea, per Special Orders No. 201, current series, War Department, Adjutant General's office.

First Lieutenant J. H. RICE, 17th Infantry, absent, sick, since October 15, 1870. Address, Allston, Mass.

First Lieutenant R. M. TAYLOR, 20th Infantry, on leave of absence since October 10, 1873, for thirty days, per Special Orders No. 215, current series, from these headquarters. Extended sixty days, per special orders No. 56, current series, Headquarters of the Army.

First Lieutenant ALEXANDER WISHART, 20th Infantry, on leave of absence on Surgeon's certificate of disability.

First Lieutenant J. A. YECKLEY, 20th Infantry, on detached service at Fort Ripley, Minn., per Special Orders No. 238, current series, from these headquarters.

First Lieutenant W. J. REEDY, 22d Infantry, on General Recruiting Service at Brooklyn, N. Y.

First Lieutenant T. H. FISHER, 22d Infantry, on leave of absence since October 2, 1873, for thirty days, per Special Orders No. 195, current series, from these headquarters. Extended thirty days, per Special Orders No. 95, current series, Headquarters Military Division of the Missouri. Further extended four months, per Special Orders No. 223, current series, War Department, Adjutant General's office.

First Lieutenant N. D. BADGER, 22d Infantry, absent, sick, on Surgeon's certificate of disability.

First Lieutenant H. H. KETCHUM, Adjutant, 22d Infantry, on leave of absence for thirty days, per Special Orders No. 217, current series, from these headquarters. Extended four months, per Special Orders No. 225, current series, War Department, Adjutant General's Office.

First Lieutenant W. W. DAUGHERTY, 22d Infantry, on leave of absence for thirty days, per Special Orders No. 101, current series, from these headquarters. Extended five months, per Special Orders No. 202, current series, War Department, Adjutant General's office.

First Lieutenant G. S. L. WARD, 22d Infantry, Aide-de-Camp to Major General W. S. Hancock, Commanding Military Division of the Atlantic.

First Lieutenant CHARLES BRADEN, 7th Cavalry, on leave of absence for six months, on Surgeon's certificate of disability, per Special Orders No. 221, current series, War Department, Adjutant General's office.

Second Lieutenant W. S. EDGERLY, 7th Cavalry, on leave of absence for thirty days, per Special Orders No. 199, current series, from these headquarters. Extended ninety days, per Special Orders No. 58, current series, Headquarters of the Army.

Second Lieutenant C. W. LARNED, 7th Cavalry, on leave of absence for thirty days, per Special Orders No. 219, current series, from these headquarters. Extended five months, per Special Orders No. 208, current series, War Department, Adjutant General's office.

Second Lieutenant R. H. L. ALEXANDER, 7th Cavalry, on leave of absence, on Surgeon's certificate of disability.

Second Lieutenant A. M. WETHERILL, 6th Infantry, on leave of absence since August 17, 1872, for thirty days, per Special Orders No. 138, of 1872, from these headquarters. Extended ninety days, per Special Orders No. 195, four months, with permission to go beyond the sea, per Special Orders No. 262, of 1872, and eight months per Special Orders No. 16, current series, War Department, Adjutant General's office.

Second Lieutenant D. L. CRAFT, 6th Infantry, on leave of absence for thirty days, per Special Orders No. 170, current series, from these headquarters. Extended five months, per Special Orders No. 225, current series, War Department, Adjutant General's office.

Second Lieutenant R. T. JACOB, Jr., 6th Infantry, granted leave of absence for thirty days, with permission to apply for an extension of thirty days, per Special Orders No. 139, current series, from these headquarters.

Second Lieutenant T. M. WILLEY, 6th Infantry, on leave of absence for thirty days, per Special Orders Nos. 169 and 208, current series, from these headquarters. Extended six months, per Special Orders No. 202, current series, War Department, Adjutant General's office.

Second Lieutenant W. L. ENGLISH, 7th Infantry, granted leave of absence for six months, per Special Orders No, 197, current series, War Department, Adjutant General's office.

Second Lieutenant J. M. BURNS, 17th Infantry, on leave of absence for thirty days, with permission to apply for an extension of five months, per Special Orders No. 217, current series, from these headquarters. Extended four months, per Special Orders No. 227, current series, War Department, Adjutant General's office.

Second Lieutenant ROBERT CAIRNS, 17th Infantry, on leave of absence for six months, per Special Orders No. 184, current series, War Department, Adjutant General's office.

Second Lieutenant D. H. BRUSH, 17th Infantry, on leave of absence for four months, per Special Orders No. 30, current series, Headquarters of the Army.

Second Lieutenant H. W. HOWGATE, 20th Infantry, on detached service in the office of the Chief Signal Officer of the Army. Never joined.

Second Lieutenant C. H. RIBBEL, 20th Infantry, granted leave of absence for thirty days, with permission to apply for an extension of three months, per Special Orders No. 247, current series, from these headquarters.

Second Lieutenant O. D. LADLEY, 22d Infantry, on detached service as Acting Assistant Quartermaster and Acting Commissary of Subsistence to the Commission for surveying the boundary line along the 49th parallel, per Special Orders No. 152, of 1872, from these headquarters. Address, St. Paul, Minn.

STATIONS OF TROOPS BY COMPANIES.

Department of Dakota.

REGIMENT.	COMPANY	STATION.
2d Cavalry, DETACHMENT. FORT ELLIS, - M. T.	F.	Fort Ellis, Montana Territory.
	G.	Fort Ellis, Montana Territory.
	H.	Fort Ellis, Montana Territory.
	L.	Fort Ellis, Montana Territory.
7th Cavalry. HEADQUARTERS, SAINT PAUL, - MINN.	A.	Fort Abraham Lincoln, Dakota Ter.
	B.	Fort Abraham Lincoln, Dakota Ter.
	C.	Fort Rice, Dakota Territory.
	D.	Fort Totten, Dakota Territory.
	E.	Fort Abraham Lincoln, Dakota Ter.
	F.	Fort Abraham Lincoln, Dakota Ter.
	G.	Fort Abraham Lincoln, Dakota Ter.
	H.	Fort Rice, Dakota Territory.
	I.	Fort Totten, Dakota Territory.
	K.	Fort Rice, Dakota Territory.
	L.	Fort Abraham Lincoln, Dakota Ter.
	M.	Fort Rice, Dakota Territory.
6th Infantry. HEADQUARTERS, FORT BUFORD, - D. T.	A.	Fort Abraham Lincoln, Dakota Ter.
	B.	Fort Abraham Lincoln, Dakota Ter.
	C.	Fort Buford, Dakota Ter.
	D.	Fort Buford, Dakota Territory.
	E.	Fort Buford, Dakota Territory.
	F.	Fort Buford, Dakota Territory.
	G.	Fort Buford, Dakota Territory.
	H.	Fort Stevenson, Dakota Territory.
	I.	Fort Buford, Dakota Territory.
	K.	Fort Stevenson, Dakota Territory.
7th Infantry, HEADQUARTERS, FORT SHAW, - - M. T.	A.	Fort Ellis, Montana Territory.
	B.	Fort Benton, Montana Territory.
	C.	Fort Shaw, Montana Territory.
	D.	Fort Shaw, Montana Territory.
	E.	Fort Shaw, Montana Territory.
	F.	Fort Shaw, Montana Territory.
	G.	Fort Shaw, Montana Territory.
	H.	Camp Baker, Montana Territory.
	I.	Fort Shaw, Montana Territory.
	K.	Fort Shaw, Montana Territory.

17th Infantry. HEADQUARTERS, FORT ABERCROMBIE, D.T.	A.	Fort Abercrombie, Dakota Territory.
	B.	Fort Wadsworth, Dakota Territory.
	C.	Fort Wadsworth, Dakota Territory.
	D.	Camp Hancock, Dakota Territory.
	E.	Grand River Agency, Dakota Ter.
	F.	Fort Abercrombie, Dakota Territory.
	G.	Grand River Agency, Dakota Ter.
	H.	Fort Abraham Lincoln, Dakota Ter.
	I.	Cheyenne Agency, Dakota Territory.
	K.	Cheyenne Agency, Dakota Territory.
20th Infantry, HEADQUARTERS, FORT SNELLING, MINN.	A.	Fort Seward, Dakota Territory.
	B.	Fort Ripley, Minnesota.
	C.	Fort Snelling, Minnesota.
	D.	Fort Pembina, Dakota Territory.
	E.	Fort Totten, Dakota Territory.
	F.	Fort Pembina, Dakota Territory.
	G.	Fort Ripley, Minnesota.
	H.	Fort Snelling, Minnesota.
	I.	Fort Pembina, Dakota Territory.
	K.	Fort Totten, Dakota Territory.
22d Infantry, HEADQUARTERS, FORT SULLY, - - D. T.	A.	Fort Sully, Dakota Territory.
	B.	Fort Randall, Dakota Territory.
	C.	Lower Brulé Agency, Dakota Ter.
	D.	Fort Randall, Dakota Territory.
	E.	Fort Sully, Dakota Territory.
	F.	Fort Randall, Dakota Territory.
	G.	Fort Randall, Dakota Territory.
	H.	Fort Randall, Dakota Territory.
	I.	Fort Sully, Dakota Territory.
	K.	Fort Sully, Dakota Territory.

G. C. M.

1st Sergeant *Lawrence Fahey*, Company "H," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 4, 1873.

GENERAL ORDERS }
No. 95. }

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of paragraph IV, Special Orders No. 244, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, was arraigned and tried:—

1st Sergeant *Lawrence Fahey*, Company "H," 20th Infantry.

CHARGE I.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, 1st Sergeant *Lawrence Fahey*, Company 'H,' 20th Infantry, did steal and sell to Corporal Thomas Bannon, Company 'H,' 20th Infantry, one blouse, the money value of which was $1.77, and to Corporal Michael Jones, Company 'H,' 20th Infantry, two pairs of drawers, the money value of which was $1.34, said articles of clothing being the property of the United States, which Sergeant *Fahey* took from the clothing chest in the orderly room, and did appropriate to his own use the money value of the same. This at Fort Totten, D. T., on or about the 1st of August, 1873."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, 1st Sergeant *Lawrence Fahey*, Company 'H,' 20th Infantry, did enter the squad rooms of the Company, and in the presence of Corporal Jones, Privates Lane, Gardner, Wall, Shields, and other enlisted men of Company 'H,' did call out, 'any man who has blankets to sell can take them to the old Fort, the men up there want to buy some,' or words to that effect, meaning thereby to incite the men of the company to unlawfully dispose of blankets issued to them by the United States. This at Fort Totten, D. T., on or about the 1st June, 1873."

Specificatiom II.—"In this: that he, 1st Sergeant *Lawrence Fahey*, Company 'H,' 20th Infantry, did, while talking in the presence of Privates Ech, Wall, Hart, and other enlisted men of Company 'H,' in rear of company quarters, say that he, Sergeant *Fahey*, would from that time make all the money he could out of the orderly room, or words to that effect. This at Fort Totten, D. T., on or about the 15th August, 1873."

Specification III.—"In this: that he, 1st Sergeant *Lawrence Fahey*, Company 'H,' 20th Infantry, did say in the presence of Privates Collins, Benedict, Wall, Hart and Larnard, Company 'H,' 20th Infantry, that he, Sergeant *Fahey*, could beat any man out of money on the clothing rolls, and intended to do so, as he was on the make, and intended making enough during his last six months of service, to pay his transportation home, or words to that effect. This at Fort Totten, D. T., on or about the 15th August, 1873."

Specification IV.—"In this: that he, 1st Sergeant *Lawrence Fahey*, Company 'H,' 20th Infantry, did incite enlisted men of the United States Army to desert the service, by saying in the presence of Privates Doherty, Gardner, Collins and Lyons, Company 'H,' 20th Infantry, that he, Sergeant *Fahey*, wished more men would desert, as he was short of clothing, or words to that effect. This at Fort Totten, D. T., on or about the 1st August, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty, except the words 'steal,' and 'said articles of clothing being the property of the United States,' to the excepted words, Not Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty, excepted the words, 'meaning thereby to incite the men of the company to unlawfully dispose of blankets issued to them by the United States,' to the excepted words, Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Not Guilty."

To the 4th *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, except the words 'steal and,' and of the words 'said articles of clothing being the property of the United States,' of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty, except the words, 'meaning thereby to incite the men of the company to unlawfully dispose of blankets issued to them by the United States,' of the excepted words, Not Guilty."

Of the 2d *Specification*, "Not Guilty."

Of the 3d *Specification*, Find the facts as set forth in the specification, but from the character of the testimony and apparent collusion of certain witnesses for the prosecution, attach no criminality thereto.

Of the 4th *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," 1st Sergeant *Lawrence Fahey*, Company "H," 20th Infantry.

II...The proceedings, findings, and acquittal in the foregoing case of 1st Sergeant *Lawrence Fahey*, Company "H," 20th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

III...The General Court Martial which convened at Fort Snelling, Minn., by virtue of paragraph IV, Special Orders No. 244, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

HEADQUARTERS DEPARTMENT OF DAKOTA.

St. Paul, Minn., Dec. 10, 1873.

General Orders, No 96.

The following described addition to the Military Reservation of Fort Ellis, Montana Territory, having been declared by the President of the United States under date of November 25, 1873, is announced for the information of all concerned, viz:

Beginning at a point on the present South boundary, at the South East corner of Section 15, Township 3 South, Range 6 East, running thence South two (2) miles; thence East one (1) mile; thence South one-half (½) mile; thence East four and one half (4½) miles; thence North three (3) miles; thence West one half (½) mile; thence North three (3) miles; thence West two (2) miles; thence North one half (½) mile; thence West two (2) miles to the South East corner of Section 26, Township 2 South Range 6 East, being a point on the old boundary.

By Command of Brigadier General Terry.

O. D. Greene,

Assistant Adjutant General.

Official:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *David Farrell*, Company "I," 20th Infantry.
2. Private *Paul Beaumelburg*, Company "I," 20th Infantry.
3. Musician *James Ryan*, Company "F," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 12, 1873.

GENERAL ORDERS No. 97.

I...Before a General Court Martial which convened at Fort Pembina, D. T., by virtue of paragraph I, Special Orders No. 240, current series, from these Headquarters, and of which Major J. E. YARD, 20th Infantry, is President, were arraigned and tried:—

1st. Private *David Farrell*, Company "I," 20th Infantry.

CHARGE—"Larceny, to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *David Farrell*, Company 'I,' 20th Infantry, did take, carry away and feloniously steal and appropriate to his own use and benefit, one (1) uniform great-coat, of the value of six dollars and forty-four cents ($6.44,) and one (1) blanket, of the value of three dollars and eleven cents ($3.11,) lawful currency of the United States, the property of Private Jacob Pentz, Company 'K,' 20th Infantry. All this at Moorhead, Minn., on or about the 18th day of June, 1873."

Specification II.—"In this: that he, Private *David Farrell*, Company 'I,' 20th Infantry, did feloniously take, steal, and carry away

and appropriate to his own use and benefit, one (1) uniform great-coat, of the value of six dollars and forty-four cents ($6.44,) one (1) shirt, of the value of one dollar ($1.00,) one (1) pair stockings, of the value of thirty-eight (38) cents, one (1) pair of drawers, of the value of sixty-seven (67) cents, lawful currency of the United States, the property of Private Daniel Hurst, Company 'I,' 20th Infantry. All this at or near Moorhead, Minn., on or about the 18th day of June, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty, except the words and figures, 'one (1) pair of stockings, of the value of thirty-eight (38) cents,' and of the excepted words and figures, Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *David Farrell*, Company "I," 20th Infantry, "*To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due, or which may become due, and then to be confined at hard labor in such penitentiary as the Commanding General may direct, for the period of one* (1) *year.*"

2d. Private *Paul Beaumelbury*, Company "I," 20th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Paul Beaumelburg*, Company 'I,' 20th Infantry, did take and did appropriate to his

own use and benefit, a pipe, of the value of two dollars and fifty cents ($2.50), lawful currency of the United States, said pipe being the property of Ja-co-co-nus, *alias* Strong Pen, a Chippewa Indian; this without the consent of and against the will of the said Ja-co-co-nus, *alias* Strong Pen. All this at Fort Pembina, D. T., on or about the 23d day of September, 1873."

Specification II.—"In this: that he, Private *Paul Beaumelburg*, Company 'I,' 20th Infantry, being a prisoner in confinement under charge of the police guard, when ordered by Sergeant Lot Hadley, Company 'I,' 20th Infantry, Sergeant of the guard, 'to go to work' with prisoners in confinement under charge of the police guard, did disobey said order and did not work. All this at Fort Pembina, D. T., on or about the 23d day of September 1873."

CHARGE II.—"Disobeying the lawful command of his superior officer in violation of the 9th Article of War."

Specification.—"In this: that he, Private *Paul Beaumelburg*, Company 'I,' 20th Infantry, being a prisoner in confinement under charge of the police guard, and having been ordered by his superior officer, Captain Loyd Wheaton, 20th Infantry, Officer of the Day, to go to work, did disobey said order and did not go to work. All this at Fort Pembina, D. T., on or about the 23d day of September, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty, except the words and figures, 'of the value of two dollars and fifty cents ($2.50,) lawful currency of the United States,' and 'Ja-co-co-nus, *alias* Strong Pen,' and 'Ja-co-co-nus, *alias* Strong Pen,' where they last appear in the Specification, substituting therefor the words, 'Chippewa Indian,' and of the excepted words and figures, Not Guilty."

Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Paul Beaumelburg*, Company "I," 20th Infantry, "*To be confined at hard labor in charge of the guard, at the station where his company may be serving, for the period of one* (1) *calendar month, and that he forfeit to the United States ten dollars* ($10.00) *of his monthly pay each month, for the period of three* (3) *months.*"

3d. Musician *James Ryan*, Company "F," 20th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Musician *James Ryan*, Company 'F,' 20th Infantry, upon being ordered by 1st Sergeant Sala Kahn, 'F' Company, 20th Infantry, to assist in moving a tent, did use the following disrespectful language to 1st Sergeant Sala Kahn, Company 'F,' 20th Infantry, 'God damn the tents, to hell with them; I can't pull up the tent pins with my teeth,' or words to that effect, Sergeant Kahn being at the time in the execution of his duty as 1st Sergeant Company 'F,' 20th Infantry. This at

the camp of the battalion of the 20th Infantry, at Holy Cross, Minn., on or about the 20th day of October, 1873."

Specification II.—"In this: that he, the said Musician *James Ryan*, Company 'F,' 20th Infantry, did, without just cause or provocation, strike 1st Sergeant Sala Kahn, Company 'F,' 20th Infantry, in the face with his clenched fist, Sergeant Kahn being at the time in the execution of his duty as 1st Sergeant of Company 'F,' 20th Infantry. This at the camp of the battalion of the 20th Infantry, at Holy Cross, Minn., on or about the 20th day of October, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *James Ryan*, Company "F," 20th Infantry, "*To forfeit to the United States ten* (10) *dollars per month of his monthly pay for the period of six* (6) *months, and to be confined at hard labor in charge of the guard, at the post where his company may be serving, for the period of three* (3) *calendar months.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *David Farrell*, Company "I," 20th Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified the sentence will be duly executed. The Minnesota State prison at Stillwater, is designated as the place of confinement.

The proceedings in the foregoing case of Private *Paul Beaumelburg*, Company "I," 20th Infantry, are approved. The findings and sentence are disapproved. No proof whatever appears in the record to establish the alleged wrongful conversion of the pipe in question, or that its transfer had not originally been agreed to by the owner. Under the second charge, the testimony adduced leaves it a matter of extreme doubt whether the prisoner, at the time of his failure to obey the order set forth, had sufficient mental capacity to comprehend what was said to him, or physical ability to comply with its requirements. Recourse should have been had to a medical examination, to determine his condition, which was possibly epileptic.

Orders have already been issued for Private *Beaumelburg's* release from confinement and restoration to duty.

The proceedings, findings, and sentence in the foregoing case of Musician *James Ryan*, Company "F," 20th Infantry, are approved. In consideration of a recommendation to clemency signed by all the members of the Court, the sentence is mitigated to a forfeiture of ten dollars ($10.00) of his monthly pay for one month, and confinement for the same period. As thus mitigated the sentence will be duly executed.

III...The General Court Martial which convened at Fort Pembina, D. T., by virtue of paragraph I, Special Orders No. 240, current series, from these Headquarters, and of which Major J. E. Yard, 20th Infantry, is President, is hereby dissolved.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

Private *Jacob Wieber*, Company "A," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 15, 1873.

GENERAL ORDERS }
No. 98. }

I...Before a General Court Martial which convened at Fort Abercrombie, D. T., by virtue of paragraph II, Special Orders No. 256, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, was arraigned and tried:—

Private *Jacob Wieber*, Company "A," 17th Infantry.

CHARGE. —"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that Private *Jacob Wieber*, Company 'A,' 17th Infantry, being on duty in the post bakery as assistant baker, and having been ordered by Sergeant Major G. E. Teubner, 17th Infantry, acting under the orders of the Post Treasurer, 1st Lieutenant Horatio Potter, Jr., Adjutant, 17th Infantry, to properly perform his duty as such, by doing the work assigned to him by the chief baker, Private Charles Weseche, Company 'C,' 17th Infantry, did, when directed by the chief baker to do certain work connected with the bakery, positively refuse and did fail to do such work. This at Fort Rice, D. T., on or about the 5th day of June, 1873."

Specificaiion II.—"In this: that Private *Jacob Wieber*, Company 'A,' 17th Infantry, on duty as assistant baker in the post bakery, and

under the orders of the chief baker, Private Charles Wesche, Company 'C,' 17th Infantry, did without cause assault said Private Charles Wesche, Company 'C,' 17th Infantry, by striking him over the head with a stick of wood. This at Fort Rice, D. T., on or about the 5th day of June, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."

To the 2d *Specification*, "Guilty, except the words 'without cause.'"

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty, except the words 'without cause,' and of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Jacob Wieber*, Company "A," 17th Infantry, "*To forfeit to the United States five dollars* ($5.00) *of his monthly pay, for the period of two months, and to be confined at hard labor in charge of the guard, for the same period.*"

II...In the foregoing case of Private *Jacob Wieber*, Company "A," 17th Infantry, the findings rest on the prisoner's plea of guilty. In his statement to the Court, however, which must be accepted as of equal weight therewith, he denies all criminality, and, in effect, neutralizes his previous acknowledgment. The Court should then have instructed him to plead not guilty, and proceeded to examine the witnesses relied on to sustain the charges. From the prisoner's own account, which bears intrinsic evidence of its truthfulness, it appears that Private Wesche was the real aggressor, and that, at most, the affair was but a foolish quarrel which might well have been passed upon by a Garrison Court.

It is noted that the record in this case is written in violet colored ink. This is in contravention of General Orders No. 36, War Department, March 31, 1870; with this exception the proceedings are approved. The findings and sentence are disapproved. Orders have already been issued for Private *Wieber's* release from confinement and restoration to duty.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

2d Lieutenant *Charles A. Booth*, 7th U. S. Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., December 22, 1873.

GENERAL ORDERS
No. 99.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph III, Special Orders No. 200, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, was arraigned and tried:—

2d Lieutenant *Charles A. Booth*, 7th U. S. Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, 2d Lieutenant *Charles A. Booth*, 7th U. S. Infantry, being on duty as Adjutant of the post of Fort Benton, M. T., and having in his capacity of Post Adjutant, become acquainted with the contents of an official communication from the Commanding Officer of the Department of Dakota, dated May 15, 1873, and addressed to the Commanding Officer, Fort Benton, M. T., relative to the policy to be pursued towards Indians, to prevent them from visiting the town of Benton, M. T., which matter it was his duty to keep secret, did make known the contents of such communication to persons not in the military service of the United States, viz.: to John W. Power and Thomas Bogy and others, and did thereby defeat the object of said communication and did render abortive the policy therein indicated. This at the town of Benton, M. T., on or about July 6, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, except the words 'being on duty as Adjutant of the Post of Fort Benton, M. T.'"
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words 'being on duty as Adjutant of the Post of Fort Benton, M. T.,' and of such excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, 2d Lieutenant *Charles A. Booth*, 7th U. S. Infantry, "*To be reprimanded by the Department Commander in General Orders.*"

II...The proceedings, findings, and sentence in the foregoing case of 2d Lieutenant *Charles A. Booth*, 7th U. S. Infantry, are approved; but the very frank and manly manner in which the accused has acknowledged his error, convinces the Department Commander that the act charged was committed through indiscretion rather than with intent to do wrong. The statement of the accused so commends him to the Department Commander that he will not inflict upon him the mortification of a reprimand. The sentence is therefore remitted.

Lieutenant *Booth* will be released from arrest and returned to duty.

III...The General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph III, Special Orders No. 200, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

Corporal *William C. Lunsdun*, Company "H," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 26, 1873.

GENERAL ORDERS No. 100.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph I, Special Orders No. 228, current series, from these Headquarters, and of which Captain G. L. BROWNING, 7th Infantry, is President, was arraigned and tried:—

Corporal *William C. Lunsdun*, Company "H," 7th Infantry.

CHARGE I.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification I.—"In: that he, Corporal *William C. Lunsdun*, Company 'H,' 7th Infantry, being on duty as Acting Sergeant in command of the guard, did neglect to properly secure the fastenings on the door of the prison room of the guard-house, thereby enabling a prisoner, viz.: George B. Smith, Company 'H,' 7th Infantry, to make his escape from said guard-house. This at Camp Baker, M. T., on or about the 26th day of August, 1873."

Specification II.—"In: that he, Corporal *William C. Lunsdun*, Company 'H,' 7th U. S. Infantry, being on duty as Acting Sergeant of the guard, did fail and neglect to see that the sentinels of the guard were properly posted, but did allow sentinels to relieve each other without the supervision of a non-commissioned officer of the guard. This at Camp Baker, M. T., on or about the night of August 26, 1873."

CHARGE II.—"Disobedience of orders."

Specification.—"In: that he, Corporal *William C. Lunsdun*, Company 'H,' 7th Infantry, being on duty as Acting Sergeant of the guard, and having received an order to close and lock the prison room after the prisoners had gone into it for the night, did fail to obey said order, thereby enabling one of the prisoners, viz.: Private George B. Smith, Company 'H,' 7th Infantry, confined for desertion, to make his escape from the guard-house. This at Camp Baker, M. T., on or about the 26th day of August, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*,	"Not Guilty."
To the 2d *Specification*,	"Not Guilty."
To the CHARGE.	"Not Guilty."

CHARGE II.

To the *Specification*,	"Not Guilty."
To the CHARGE,	"Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*,	"Guilty."
Of the 2d *Specification*,	"Not Guilty."
Of the CHARGE,	"Guilty."

CHARGE II.

Of the *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *William C. Lunsdun*, Company "H," 7th Infantry, "*To forfeit to the United States ten dollars per month, for the period of three months, and to be reduced to the grade of a private soldier.*"

II...In the foregoing case of Corporal *William C. Lunsdun*, Company "H," 7th Infantry, the proceedings and findings upon the first charge and the specifications thereto, are approved. The findings upon the second charge and the specification thereto, are disapproved. The sentence is approved. Upon the recommendation of a majority of the members of the Court, so much of the sentence as relates to the forfeiture of pay, is remitted. He will be released from arrest and restored to duty.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

CHARGE II.—"Leaving his post, in violation of the 46th Article of War."

Specification.—"In this: that he, Private *Patrick Murphy,* Company 'B,' 7th Infantry, having been duly posted as a sentinel, did leave his post before being regularly relieved, by entering the guard-house, leaving his musket outside the door. This at Fort Benton, M. T., on or about the 31st day of July, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification,* "Not Guilty."
To the 2d *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification,* "Guilty."
Of the 2d *Specification,* "Guilty, except the word 'Remington,' and substituting therefor the word 'Springfield.'"
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification,* "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Patrick Murphy,* Company "B," 7th Infantry, "*To forfeit to the United States all pay and allowance now due, or that may become due him, to be dishonorably dis-*

charged from the United States service, and to be confined in such penitentiary as the Department Commander may designate, for the period of three years."

2d. Musician *James W. Nathan*, Company "B," 7th Infantry.

CHARGE.—"Disobedience of orders."

Specification.—"In: that he, Musician *James W. Nathan*, Company 'B,' 7th Infantry, in violation of the following regularly published order:

'COMPANY 'B,' 7TH INFANTRY,
Fort Benton, M. T., Nov. 30, 1872.

'COMPANY ORDER No. 23.

Extract.

'II...No enlisted man of his company will introduce into the post of his company, or keep in his possession, intoxicating liquor of any description.

('Sgd.) JAMES H. BRADLEY,
1*st Lieutenant, 7th Infantry,*
Commanding Company.'

did introduce into the post of his company and into the quarters of one Mrs. Boggs, a laundress of said company, a bottle of whiskey. This at Fort Benton, M. T., on the 13th day of September, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE; "Not Guilty."

And the Court does therefore "*acquit him*," Musician *James W. Nathan*, Company "B," 7th Infantry.

3d. Private *Matthew Finley*, Company "F," 7th Infantry.

CHARGE I.—"Drunkenness on duty, in violation of the 45th Article of War."

Specification.—"In: that *Matthew Finley*, a private of Company 'F,' 7th Infantry, being duly mounted as a member of the post guard, did become so much under the influence of intoxicating liquor as to unfit him for the performance of his duties as a sentinel. This at Fort Shaw, M. T., on or about the 29th day of September, 1873."

CHARGE II.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification,—"In: that *Matthew Finley*, a private of Company 'F,' 7th Infantry, being duly mounted as a member of the post guard, and posted as a sentinel over the haystacks at the post of Fort Shaw, M. T., did neglect his duty as such, by lying down between the stacks of hay. This at Fort Shaw, M. T., on or about the 29th day of September, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Matthew Finley*, Private Company "F," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him, to be dishonorably discharged from the service of the United States, and then to be confined at hard labor under charge of the guard, for the period of six months.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *Patrick Murphy*, Company "B," 7th Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified the sentence will be duly executed. The Minnesota State Prison at Stillwater, is designated as the place of confinement.

The proceedings, findings and acquittal in the foregoing case of Musician *James W. Nathan*, Company "B," 7th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Matthew Finley*, Company "F," 7th Infantry, are approved. So much of the sentence as relates to confinement at hard labor, is remitted. As thus mitigated the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

CIRCULARS

FROM THE

HEADQUARTERS

Department of Dakota.

1873

(No. 1.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 23, 1873.

CIRCULAR.

The following circulars from the War Department are furnished for the information and guidance of all concerned, viz:—

WAR DEPARTMENT,

Washington City, December 10, 1872.

The Secretary of War directs that until further orders from himself, all action by officers of the Army upon cases of payments under the Second Section of the Act of Congress, approved May 18, 1872, Chapter 172, page 134, and the orders regarding extra compensation under the late opinion of the Attorney General, touching the eight hour law, published in General Orders No. 93, 1872, be suspended.

(Signed.) H. T. CROSBY,
Chief Clerk.

ADJUTANT GENERAL'S OFFICE,

Washington, December 16, 1872.

Official copy respectfully furnished for the information of the Commanding General, Military Division of the Missouri.

(Signed.) E. D. TOWNSEND,
Adjutant General.

HEADQR'S MIL. DIV. OF THE MISSOURI,

Chicago, December 19, 1872.

Official copy respectfully furnished for the information of the Commanding General, Department of Dakota.

(Signed.) JAMES B. FRY.
Ass't Adj't General.

WAR DEPARTMENT,
Washington City, December 19, 1872.

To the
ADJUTANT GENERAL.

Some misunderstanding having arisen as to the intention of the Circular of December 10th, from this office, to Heads of Bureaux, regarding the Second Section of the Act of Congress, approved May 18th, 1872, the Secretary of War desires it stated that the intention of that Circular was only to suspend payment to all such persons as are referred to in the opinion of the Attorney General, published in General Orders 93, 1872, which persons were not formerly included under the general head of workmen, laborers and mechanics.

No suspension of action is to be made in the case of such persons as were paid as workmen, laborers and mechanics, prior to the rendition of the opinion of the Attorney General published in General Orders No. 93.

(Signed.) H. T. CROSBY,
Chief Clerk.

HEADQR'S MIL. DIV. OF THE MISSOURI,
Chicago, December 31, 1872.

Official copy respectfully furnished to the Commanding General, Department of Dakota, for his information.

(Signed.) JAMES B. FRY,
Ass't. Adj't. General.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

(No. 2.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., January 24, 1873.

CIRCULAR.

It is announced for the information of all concerned, that the Honorable Secretary of War has approved a recommendation of the Quartermaster General, that under certain restrictions officers on duty at frontier posts, and not entitled to forage by laws and regulations, may purchase from the Quartermaster's Department, forage for one horse, at cost price including transportation.

In this Department such sales will be permitted on the approval of the Post Commander, who will withhold it when sales authorized thereby would reduce the amount of forage on hand below that required for the full allowance to the public animals in service at the post.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

(No. 3.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 17, 1873.

CIRCULAR:

The following circular from the Chief of Ordnance of the Army, is re-published for the information of all concerned, viz:

Circular No. 5—*Series of* 1873.

INSTRUCTIONS RELATIVE TO USE OF "COLLINS' PREPARED HARNESS OIL AND LEATHER PRESERVATIVE."

ORDNANCE OFFICE,
WAR DEPARTMENT,
Washington, January 20, 1873.

It having been directed that "Collins' Prepared Harness Oil and Leather Preservative" be placed on the list of supplies issued by the Ordnance Department to the Army, the following report is published for the information of all concerned.

(Signed.) A. B. DYER,
Chief of Ordnance, U. S. A.

ORDNANCE DEPOT, OMAHA, NEB.,
January 15, 1873.

To the CHIEF OF ORDNANCE, U. S. ARMY,
Washington, D. C.

SIR: In compliance with instructions contained in your letter of the 20th of December last, I have the honor to submit the following report upon "Collins' Prepared Harness Oil and Leather Preservative," manufactured by Messrs. G. H. & J. S. Collins, of Omaha.

1st.—*Form of preparation and mode of packing.*

The only form in which this preparation is manufactured is that of a paste, the consistency of which can be made to vary by the increase or diminution of certain constituents used in making it.

The form which is considered by the Messrs. Collins as best adapted for use in all climates is of about the consistence of ordinary shoe-blacking, though much more oily. It is in a condition for use at any temperature of the atmosphere above 50° Fahrenheit, and would not, I am informed, be rendered sufficiently liquid by atmospheric heat to cause any loss from leakage or evaporation, which would be the objection to the use of a softer form. When the temperature is near or below the freezing point, it requires to be slightly warmed before using.

The packages used in putting up this oil are tin cans or boxes of a cylindrical form, about 6¼ inches in diameter and 5¾ inches in height, with a bail attached, and a cover fitting the top. The cans contain six pounds each. This mode of packing is, I think, as convenient as any that can be used, as the ordinary oil-can for liquid oils would not answer even for the softer forms of the paste.

A smaller can of the same form, adapted for one pound, is also used, but if purchased in this form there would be an additional expense on account of packages, in consequence of which I should deem it advisable to use only the larger cans for what is purchased by the Department.

2d.—*The mode of and directions for applying it to harness or equipments are as follows:*

Unbuckle and separate all the parts, wash them clean in a tub or vat of lukewarm water, and hang them up to dry; if the weather be cold this should be done in a moderately warm room; care should be taken not to expose them to the sun or the heat of a warm stove. After drying for about half an hour, the parts are ready for the application of the oil, which should be made while the leather is still damp. The oil may be applied either with a common paint-brush or sponge. A light coat is put on at first, and time is given for the surface to dry, then apply plentifully until the leather ceases to absorb it. The parts should then be hung up for a period of from 6 to 12 hours, (the latter in cold weather), in order to allow the oil to soak in thoroughly, care being taken, as before directed, not to expose them to the sun or the heat of the stove, when they should be rubbed dry with a woolen cloth and

may then be put together for use. If practicable, the articles oiled should be kept from use 24 hours longer than the time above specified, in order to enable the oil to produce its full effect.

Harness and equipments which are kept in constant use should be oiled once in two months, and if much exposed to wet, once a month. If but occasionally used and not unduly exposed to the weather, three or four times a year will be sufficient.

3d.—*One year's supply for a cavalry company and a 4-gun battery.*

In this connection it is necessary to state that I have no accurate data which will enable me to give a reliable estimate as to the quantity required, and it will probably be necessary to test it by use in the field before any can be fixed upon. It has been used for some time at the Quartermaster's Depot in this city for oiling draught harness, and, from the best information I can gain from that source, about one pound of the oil is required in a year for six pounds of leather, (supposing six applications to be made in that period). Proceeding upon this basis, I should consider that the harness for a 4-gun battery (10 sets wheel and 20 lead) would require about 300 pounds per year to keep it in good order, and the equipments for a company of cavalry, about 72 pounds. In cases where the harness and equipments have been in service some time without the use of this oil, an addition of about one-fourth would be required.

Very respectfully, your obedient servant,

(Signed.) CULLEN BRYANT,

Lieut. of Ordnance, Commanding.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

(No. 4.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 20, 1873.

CIRCULAR:

The following decisions of the War Department are published for the information and guidance of all concerned, viz:

ADJUTANT GENERAL'S OFFICE,

December 28, 1872.

(*Extract.*)

* * * * * * * *

Company commanders are *not required* to appoint wagoners and artificers, but may muster the men as wagoners, artificers, or privates, as they may see fit.

If mustered as privates, they cannot, under the law, receive extra pay for performing the duties of wagoner or artificer, when serving with companies.

(Signed.) E. D. TOWNSEND,

Adjutant General.

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

January 3, 1873.

(*Extract.*)

* * * * * * * *

The Secretary of War decides that artificers of Infantry *are* entitled to extra duty pay, when employed under the orders of the Quartermaster's Department.

Company wagoners are also entitled to extra duty pay, *when so employed.*

(Signed.) E. D. TOWNSEND,
Adjutant General.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

(No. 5.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., March 7, 1873.

CIRCULAR:

The following decision of the Secretary of War is published for the information of all concerned, viz:

"The Secretary of War decides that the legitimate expenses incurred in taking affidavits regarding the loss of ordnance will be paid by the Quartermaster's Department to the notary who rendered the service, but it cannot reimburse an officer for any outlay."

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

(No. 6.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., March 10, 1873.

CIRCULAR:

The following instructions, emanating from the Quartermaster General's Office, for the guidance of officers on duty in the Quartermaster's Department, are re-published, for the information of all concerned serving in this Military Department, viz.:

"General Orders Nos. 2 and 6, Quartermaster General's Office, 1863, will, under authority of the Secretary of War, cease to apply in settlement of charges against the Government for tolls over turnpikes, bridges, ferries, &c., upon movements subsequent to this date.

Whenever it shall become necessary for troops, military supplies, or persons in the military service of the United States, to pass on public duty over a turnpike, bridge, or ferry, (authorized to collect tolls or ferriage,) the officer in command of such troops, or in charge of such persons or supplies, will apply to the officer of the Quartermaster's Department, at the most convenient station, for orders upon the turnpike, bridge, or ferry, and accounts accruing for such service, accompanied by such orders, duly receipted, will be presented to the nearest disbursing Quartermaster for settlement. Whenever it is impracticable to obtain the orders of a Quartermaster, the person in charge of the party passing over such turnpike, bridge, or ferry, will give a certificate for the services, setting forth the number and description of persons, and quantity and character of supplies passed, the rates to be allowed, and that the travel is on public duty.

Before payment of such accounts, the disbursing Quartermaster will satisfy himself that the rates charged do not exceed the authorized or usual public rates, and that the indebtedness was incurred on Government account, and was necessary for the public service.

Payments may be made at the authorized or usual public rates, unless a more favorable special arrangement is made."

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 6th Infantry.

(No. 7.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., March 19, 1873.

CIRCULAR:

The season for active military operations in this Department being short and close at hand, the Department Commander announces for the information of the command, that until its close, leaves of absence for officers will not be granted, except in extraordinary cases, when the circumstances in each case justifying the application for the indulgence, must be fully and clearly set forth therein.

Favorable consideration can only be given to cases of the most positive merit.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

(No. 8.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 20, 1873.

CIRCULAR.

The following named newspapers, published within the limits of this Department, have been placed upon the advertising list of the War Department to this date, viz :—

Minnesota.

St. Paul *Press*,.....St. Paul.
Minnesota *Staats Zeitung*,.....St. Paul.
St. Paul *Dispatch*,.....St. Paul.
St. Cloud *Journal*,.....St. Cloud.
Lake City *Leader*,.....Lake City.

Dakota.

Union & Dakotaian,.....Yankton.
Dakota *Republican*,.....Vermillion.
Yankton *Press*,.....Yankton.

Montana.

Helena *Herald*,.....Helena.
New Northwest,.....Deer Lodge City.

This list is furnished for the information and guidance of officers whose duties require them to advertise on public service.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

(No. 9.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 3, 1873.

CIRCULAR:

The following instructions from the War Department are published for the information and guidance of all concerned, viz:—

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, D. C., March 29, 1873.

"*To Commanding General,*

"*Department of Dakota,*

"*St. Paul, Minn.*

"The following are the orders of the Secretary of War of yesterday's date. All expenditures for building material and construction and repair of building to be paid from appropriation for barracks and quarters for the current fiscal year, will be suspended, and no further expenditures will be made for these purposes until beginning of next fiscal year. All civilians employed upon construction and repair of such buildings will be discharged, and enlisted men so employed released from such duty until further orders. The pay of extra duty men so employed, which may be a charge upon appropriation for incidental expenses of Quartermasters, will cease from date of this order. Division and Department Commanders will require their Chief Quartermasters to report to Secretary of War, through Quartermaster General, without delay, in detail, the sums expended in their several divisions and departments for rent or hire of quarters for troops and officers on military duty, for storehouses for safe keeping of military stores, for offices, for ground for camps or cantonments, and temporary frontier stations, for construction and repair of temporary huts, of stables, and other military

buildings at established posts, and for repair of buildings occupied by the army, giving the location of each building or piece of ground, and the sum paid for the rent or place of each, also the amounts expended during the first half of the present fiscal year in the construction and repair of temporary huts, stables, and other military buildings in use by the army, in their respective divisions or departments."

(Signed.) E. D. TOWNSEND,

Adjutant General.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 6th Infantry.

(No. 10.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 7, 1873.

CIRCULAR:

For the information and guidance of officers of this command, whose duties require them to advertise on public service, it is announced that the "*Duluth Minnesotian*," a newspaper published at Duluth, Minnesota, has been placed on the advertising list of the War Department.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 6th Infantry.

(No. 11.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 25, 1873.

CIRCULAR:

The following decision of the War Department is published for the information and guidance of all concerned, viz:

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
March 25, 1873.

Enlisted men serving under orders of the Quartermaster's Department at the post where their company is stationed, are considered as *on extra duty in Quartermaster's Department*, and not as present for duty with company.

(Signed) E. D. TOWNSEND,
Adjutant General.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

(No. 12.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 7, 1873.

CIRCULAR:

It is announced for the information of officers of this command, that the Honorable Secretary of War has decided that in all cases where officers assume the responsibility of violating the orders of the War Department, in ordering or making purchases without its authority, the cost of the articles so ordered or purchased will be charged against the officer by whose order the purchase was made.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 6th Infantry.

(No. 13.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 13, 1873.

CIRCULAR:

Post Commanders will cause all officers doing duty in the Quartermaster's Department at their respective posts, to at once transfer to the Chief Quartermaster of the Department, all moneys in their possession on account of appropriation for *Regular Supplies* for the present fiscal year, not required for the payment of debts already contracted.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

(No. 14.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 31, 1873.

CIRCULAR:

Commanding Officers of companies in this Department to whom the new equipments have been issued, will render promptly, at the end of each *quarter*, upon the printed blank forms furnished by the Ordnance Department, the "Report on Equipments," as requested in the circular letter printed upon the blanks.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 6th Infantry.

(No. 15.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 5, 1873.

CIRCULAR :

All officers of, and doing duty in the Quartermaster's Department in this Military Department will, immediately after the close of the present fiscal year, make out and forward direct to the Chief Quartermaster of the Department :—

A statement of the indebtedness of the Quartermaster's Department at their respective stations on the 30th of June, 1873. This statement will set forth the amount of indebtedness under each of the several heads of appropriations of the Quartermaster's Department, (as regular supplies, barracks and quarters, &c.,) and will also show to which class or division of those headings the indebtedness pertains, agreeably to the classification set forth in form (No. 24) of estimate of funds.

Should the indebtedness pertain to more than one fiscal year, a separate statement for such fiscal year will be made out and forwarded.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 6th Infantry.

(No. 16.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., June 9, 1873.

CIRCULAR:

Accompanying this circular are transmitted blank forms furnished by the Ordnance Department for reporting small arm target practice. Company Commanders will forward promptly at the end of each *quarter* these reports, giving the closest observance to the instructions contained in the notes on the forms furnished them.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

1*st Lieutenant, 6th Infantry, A. D. C.*

(No. 17.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., July 14, 1873.

CIRCULAR:

The following decision of the Honorable Secretary of War, is published for the information and guidance of all concerned, viz:—

"Accounts of officers for postage in the field, or elsewhere outside of Washington, will, until further orders, be paid by the Paymaster General and Quartermaster General, as heretofore, out of the appropriations made for that purpose."

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

(No. 18.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 23, 1873.

CIRCULAR:

Post Commanders will at once forward to these headquarters a list of the number, kind, description, and condition for service, of all surveying instruments at their respective posts.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

(No. 19.)

HEADQUARTERS, DEPARTMENT OF DAKOTA.

St. Paul, Minn., August 27, 1873.

CIRCULAR:

The following decision as to whether or not the money value of clothing, issued to enlisted men, should be charged against them on their clothing accounts, whilst undergoing sentence of a General Court Martial to confinement at hard labor, with loss of pay and allowances, is published for the information and guidance of all concerned, viz:—

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

July 24, 1873.

* * * * * * * *

The within named man having been sentenced by General Court Martial to forfeit pay and allowances, except three dollars per month, the clothing issued to him, while in confinement, will not be charged to him.

(Signed,) THOMAS M. VINCENT,

Assistant Adjutant General.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

(No. 20.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 6, 1873.

CIRCULAR:

The following is published for the information and guidance of all concerned, viz.:

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, September 30, 1873.

To the Commanding General,
Military Division of the Missouri,
Chicago, Illinois.

SIR: Referring to your endorsements of the 26th ultimo and 7th instant, forwarding communications from the Commanding Officers Forts Garland, Colorado Territory, and McPherson, Nebraska, on the subject of issuing rations to destitute persons at frontier posts, I have the honor to communicate, for the information and guidance of those concerned, the following views of the Commissary General of Subsistence, which are approved by the Secretary of War:

"The current appropriations for the subsistence of the army are so closely cut down to the actual wants of the service, that there is no margin for the exercise of liberality in the issue of subsistence stores to those for whom there is no provision of law.

"All such applications for issues must of necessity be declined, except in those overruling demands of humanity where starvation or extreme suffering shall move the Commanding Officer to assume the responsibility to make limited issues, he trusting to the circumstances, to be fully stated in his order for the issue, that the Secretary of War will sustain his action. It is not deemed that any executive authority can, in ad-

vance of occurrence of the special occasions of necessity, properly give orders for or regulate such issues, as this would transcend the provisions of law."

I am, Sir, very respectfully,

Your obedient servant,

(Signed,) E. D. TOWNSEND,

Adjutant General.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

(No. 21.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., October 9, 1873.

CIRCULAR:

All officers of, or doing duty in, the Quartermaster's Department in this Command will, immediately after the 31st day of December, 1873, forward to the Chief Quartermaster of the Military Division of the Missouri, a list of Quartermaster's stores, and also at the same date a list of clothing, camp, and garrison equipage on hand, at their respective posts or depots.

The articles will be arranged in the order in which they usually appear on returns (forms No. 27 and No. 45), and the condition of each article will be set forth.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

(No. 22.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., November 12, 1873.

CIRCULAR:

The following decision of the Secretary of War, as to the rate of pay of a non-commissioned officer detailed on extra duty as an overseer of a party of twenty men, composed either of prisoners or soldiers not on extra duty, is published for the information and guidance of all concerned:

"It is understood from the wording of the law, that the overseer of artificers is supposed to be a man skilled in the trade of the artificers; a similar overseer of laborers or persons at labor, would not be required to perform 'skilled labor' as an overseer, and the rate should be twenty (20) cents per day."

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

(No. 23.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., November 20, 1873.

CIRCULAR:

Whenever men surrender as deserters, under the provisions of General Orders No. 102, current series, War Department, Adjutant Gereral's office, they will be taken up and reported for duty as casually at the post. Their statements in regard to desertion and their description will be forwarded through these headquarters to the Adjutant General of the Army, for orders as to their disposition.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

(No. 24.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., November 29, 1873.

CIRCULAR:

The attention of the Department Commander having been drawn to the fact that at certain posts in the Department, the "retained copies of pay rolls" are imperfect, owing to neglect or failure on the part of the proper officers to transcribe thereupon the calculations from the Paymaster's copy, upon which payment was made, the attention of officers is called to the provisions of War Department Orders No. 9, of 1851, whereby the Company Commander is made responsible for the transcription above indicated, and the consequent perfection of the retained roll. In all payments hereafter, Paymasters serving in this command will give company commanders sufficient time before leaving the station, to make the transcription indicated, and in case it is not done, from any cause whatever, will render an immediate report of the fact to the Assistant Adjutant General at these headquarters.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

(No. 25.)

HEADQUARTERS DEPARTMENT OF DAKOTA,

St. Paul, Minn., December 26, 1873.

CIRCULAR:

The following correspondence is republished in this Department for the information and guidance of all concerned.

HEADQUARTERS DEPARTMENT OF CALIFORNIA.

San Francisco, November 11, 1873.

To the Adjutant General, U. S. Army, Washington, D. C.

SIR:

I have the honor to submit the following classes of cases arising in this Department under War Department General Orders No. 102, current series, for instructions in regard to the disposition of the men, and the advantages, if any, such men confessing themselves deserters are entitled to:

First.—*Men out of service, but in confinement*, undergoing sentence to hard labor, etc., who confess themselves deserters under that order from one or more previous enlistments.

Second.—*Men in service*, undergoing sentence, or waiting trial or sentence for desertion or other offenses, who under that order confess themselves deserters from one or more enlistments.

Third.—*Men serving in the army* who confess themselves *deserters from the marines.*

All of these cases have arisen among the general prisoners at Alcatraz Island, and cases of the third class are arising occasionally among men now serving in the army.

Very respectfully, your obedient servant,

(Signed,) J. M. SCHOFIELD,

Major General.

WAR DEPARTMENT.

ADJUTANT GENERAL'S OFFICE.

November 25, 1873.

Respectfully returned to the Commanding General of the Department of California.

The class of men mentioned in *first* and *second* sections of inclosed communication are *not* entitled to the benefit of General Orders No. 102, from Adjutant General's Office, series of 1873.

In the cases of men now serving in the army who surrender themselves as deserters from the Marine Corps, communication should be addressed to Brigadier-General *Jacob Zeilin*, commanding United States Marine Corps, Washington, D. C., with a view to having the men returned to the Marine Corps *at the expense of the appropriation made for the support of that organization.*

It is desired that this office be informed when men report having served in organizations other than that in which they originally enlisted, and that deserters be interrogated with a view to eliciting this information.

By order of the Secretary of War:

(Signed.) E. D. TOWNSEND,

Adjutant General.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

GENERAL ORDERS

FROM THE

HEADQUARTERS

Department of Dakota.

ROSTER
also
order #76

1874.

INDEX OF GENERAL ORDERS.

INDEX OF NAMES.

A.

Adams, Robert 20
Ahern, Michael 14, 30
Aldworth, Thomas 72
Allen, J. L. 9
Aspinwall, John 33
Assadely, Antony 11

B.

Bagley, Edward 31, 49
Banes, Thomas 50
Bar, (or Barr,) Emmett 31, 51
Beaton, James 72
Beck, Franklin 55
Bills, Joab 34
Boling, J. R. 54
Boren, Ansgorius 46
Brass, Joseph 27
Brophy, Thomas 67
Brown, Michael 39
Bryant, Michael 25
Burke, F. H. 13
Burke, Michael (*alias* George McDermott,) 27
Burnell, Michael 9
Burns, John 45

C.

Campbell, M. W. 27
Carmichael, Isaac 30
Carroll, James 82
Carson, William 16
Carter, C. R. 69
Chambers, George 34
Clancey, James 38
Clark, James, Private, Company "E," 22d Infantry 36
Clark, James, Private, Company "C," 7th Infantry 41
Clougher, Luke 9
Corcoran, John 49
Costello, John 56
Curliss, J. M. 25
Custer, G. A. 59

D.

Davenport, James 13
Davenport, Mat 18, 49
Davis, G. A. 54
Davis, J. W. 24
Dawsey, D. C. 26
Dempsey, William 14
Devenport, James 25
Devine, John 40
Dickenson, R. B. 4
Dillon, Patrick 5
Dobbins, John 17
Donegan, James 72
Donie, George 15
Donlyn, Michael 30
Donovan, Dennis 32
Dougal, Robert 5
Doyle, James 4
Duggan, J. S. 25, 50
Duncan, W. J. 69
Dwyer, Martin 24

E.

Ech, Frederick 42
Eisenhart, Peter 51, 52
Ellis, Charles 13
Ellis, Charles A. 53
Esig, George 66

F.

Fahy, J. C. 60
Ferguson, John 73
Fetter, William 44
Fitzpatrick, Kyram 67
Foberg, Peter 46
Fox, H. A. 26
French, Matthew 15

G.

Gambell, W. H. 22
Gannon, Peter 10
Golden, James 29
Goldstein, George 50

Gorom, Daniel 61
Gray, H. M..... 37
Grennan, James..... 56
Gruber, Gottlieb..... 69

H.

Hall, William 28
Hammon, M. F..... 13
Hanley, R. P..... 53
Hanrahan, John..... 36
Harris, L. A..... 10
Heimbrick, John..... 31
Helwig, W. H..... 61
Hickey, William..... 82
Higgins, Thomas 27
Hilborn, David..... 72
Hilliard, Robert..... 9
Hohmeyer, Frederick..... 13
Howell, Lewis..... 23
Hyatt, Moses..... 27

I.

Ipawega..... 80

J.

Jennings, James..... 39
Jokeim, Peter..... 37
Jourdan, John 79

K.

Keeler, Henry..... 84
Kelly, Edward..... 37
Kelly, James..... 14
Kennedy, William..... 56
Kerns, John..... 56
Klein, Gustav..... 25
Klute, Henry..... 46

L.

Landers, Jacob..... 83
Lawless, William..... 25
Lee, John..... 3
Lewis, A. J..... 61
Lidell, G. W..... 54
Lowenburg, J. F. E..... 81
Lugenbeel, Pinkney..... 59
Lundquist, Peter..... 65
Lunsdun, W. C..... 63
Lynch, James..... 55

M.

Mahoney, Edward..... 40
Maloney, D. T. 46
Marlow, Robert..... 62
Matthews, G. W..... 42
McBrearty, James..... 84
McCaffrey, Francis..... 41
McCarthy, Thomas..... 23
McCauley, William..... 11
McClellan, William..... 55
McCue, Patrick..... 64
McDonald, E. J.....60, 72
McDonald, Michael..... 27
McDonnell, John..... 13
McElroy, F. P..... 4
McGill, Richard 72, 84
McIntyre, J. M..... 48
McManus, Bernard..... 36
McMullin, John..... 34
McNulty, Farrell.....3, 48
Megier, Louis..... 17
Metcalfe, Charles..... 58
Miller, James..... 54
Monahan, Cornelius..... 56
Morris, E. F..... 35
Morton, Michael..... 77
Mulholland, Charles..... 13
Muller, Anton..... 1
Myers, Maurice 16
Myers, W. C..... 48

N.

Netherton, Albert..... 30

O.

O'Connell, Daniel.....72, 84
O'Donnell, Peter..... 60
O'Gara, Edward..... 13
Oshwell, C. H..... 56
Otis, E. S 19

P.

Peel, W. T..... 22
Perritt, William..... 60

Q.

Quay, William..... 28
Quigley, E. S..... 75

R.

Reardon, John..... 9
Reynolds, James..... 67
Rieley, Michael..... 13
Roberts, William.....20, 48
Robinson, Alexander..... 28
Rodemyre, John..... 17
Rogers, George..... 75
Rogers, John..... 66
Rooney, James..... 72
Rooney, Malachi..... 83
Roth, T. T..... 53
Rowbotham, Thomas..... 68

S.

Saclet, (or Sacklett,) Dudley.....18, 49
Sager, H. W..... 46
Salle, Marcellin..... 67
Scuhltze, Henry..... 47
Schulz, Paul..... 50
Scully, John..... 60
Searls, L. B..... 13
Seedes, J. T..... 27
Seibert, Joseph..... 81
Shaughnessy, Michael..... 13
Sheely, Edward..... 56
Shields, James..... 60
Simon, William..... 62
Skinner, William 69
Sligor, J. M..... 32
Smith, David..... 20
Smith, Henry..... 9
Smith, Hugh..... 20
Smith, J. B..... 65
Smith, John (*alias* Peter Paule)... 37
Smith, Thomas.....56, 74
Smurr, Charles..... 29
Sparks, Peter..... 27
Stanley, J. H..... 85
Steck, C. A..... 49
Stevens, William..... 3
Stevenson, Peter..... 26
Stoyell, L. B..... 8
Sullivan, Tim..... 27
Sweeney, Charles..... 66
Sweeney, J. J..... 30

T.

Thomas, J. J..... 50
Tio, George..... 67
Tralor, Adolphus..... 28

V.

Vaughan, Thomas..... 63

W.

Wahner, Otto..... 56
Walsh, Richard..... 66
Wamsler, John..... 32
Weems, Albert..... 69
Wetterling, August.....49, 52
Whalen, Charles..... 37
Whalen, Thomas..... 25
Whitenfield, Albert..... 31
Williams, B. F..... 77
Willse, John..... 53
Wilson, John..... 28
Wilson, Thomas..... 11
Wright, Peter..... 12

INDEX OF SUBJECTS.

A.

ACTING ASSISTANT INSPECTOR GENERAL.
Announces Lieutenant Colonel E. S. Otis, 22d Infantry,..... 19

ANNUAL ESTIMATES.
Directs Post Commanders to forward, of supplies for Quartermaster's Department 70

ANNUAL REQUISITIONS.
Directs Post Commanders to cause, for supplies of Subsistence Department to be made and forwarded..... 71

ARTIFICERS. (*See* COMPANY ARTIFICERS AND WAGONERS.)

AUTHORITY.
If necessary to increase force of civil employés and extra duty men at posts, &c., application must be made to Dept. Headquarters for,..... 2
For the increase of force of civil employés and their rates of compensation must be obtained from Department Headquarters..... 7

C.

CHIEF QUARTERMASTER OF THE DEPARTMENT.
Directs the, to so distribute funds that the properly incurred indebtedness of the Quartermaster's Department may be promptly and regularly paid..... 57

CIVIL EMPLOYES.
Directs reduction of, in Quartermaster's Department, and rates of pay 2
If necessary to increase force of, in Quartermaster's Department, application must be made to Department Headquarters for authority.. 2
Reduces and fixes, of Quartermaster's Department at certain posts, and their monthly rates of pay..... 7
Orders discharge of, of Quartermaster's Department at certain posts... 7
Directs that the, of the Quartermaster's Department be paid as soon after the end of each month as funds are available for the purpose... 57

COMMANDING OFFICERS OF POSTS.
Defines duties of, in regard to providing for payment of indebtedness of Quartermaster's Department payable at their posts..... 57

COMMUNICATION.
Prescribes channels of, for a Company Commander in making application for the reduction of a non-commissioned officer of his company on detached duty at a battalion or post headquarters..... 6

COMPANY ARTIFICERS AND WAGONERS.

Directs that, be employed, as far as practicable, as mechanics and teamsters, in Quartermaster's Department, in lieu of extra duty men 2

COMPANY COMMANDER.

Prescribes channels of communication for a, in making application for the reduction of a non-commissioned officer of his company on detached duty at a battalion or post headquarters..... 6

COURTS OF INQUIRY.

Directs that the full uniform prescribed by Army Regulations be worn by members of, when in session, and by officers appearing as counsel, and all officers and enlisted men appearing as witnesses..... 43
Directs that Judge Advocates of, when in session, wear the Regulation undress uniform..... 43
Accused persons before, to wear full Regulation uniform, but without side arms..... 43
Promulgates proceedings of,..... 58

D.

DISCHARGED.

Directs civil employés of the Quartermaster's Department at certain posts to be, ... 7

DISSOLVED.

The General Court Martial convened at Fort Buford, D. T., by virtue of paragraph V of Department Special Orders No. 138, series of 1873 1
The General Court Martial convened at Fort Randall, D. T., by virtue of Department Special Orders No. 265, series of 1873..... 3
The General Court Martial convened at Fort Snelling, Minn., by virtue of Department Special Orders No. 14, current series..... 11
The General Court Martial convened at Fort Sully, D. T., by virtue of paragraph II of Department Special Orders No. 228, series of 1873..... 12
The General Court Martial convened at Fort Abercrombie, D. T., by virtue of paragraph II of Department Special Orders No. 256, series of 1873..... 14
The General Court Martial convened at Fort Randall, D. T., by virtue of Department Special Orders No. 18, current series..... 20
The General Court Martial convened at Fort Pembina, D. T., by virtue of Department Special Orders No. 16, current series..... 22
The General Court Martial convened at Fort Shaw, M. T., by virtue of paragraph I of Department Special Orders No. 228, series of 1873 23
The General Court Martial convened at Fort Ellis, M. T., by virtue of paragraph III of Department Special Orders No. 252, series of 1873..... 24
The General Court Martial convened at Fort Buford, D. T., by virtue of Department Special Orders No. 7, current series..... 35
The General Court Martial convened at Fort Randall, D. T., by virtue of paragraph II of Department Special Orders No. 59, current series..... 38
The General Court Martial convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I of Department Special Orders No. 256, series of 1873..... 39
The General Court Martial convened at Fort Stevenson, D. T., by virtue of paragraph II of Department Special Orders No. 83, current series..... 44
The General Court Martial convened at Fort Totten, D. T., by virtue of paragraph II of Department Special Orders No. 240, series of 1873..... 45
The General Court Martial convened at Fort Sully, D. T., by virtue of Department Special Orders No. 53, current series..... 47

DISSOLVED.—*Continued.*

The General Court Martial convened at Fort Randall, D. T., by virtue of paragraph I of Department Special Orders No. 108, current series..... 48
The General Court Martial convened at Fort Rice, D. T., by virtue of Department Special Orders No. 21, current series..... 52
The General Court Martial convened at Fort Ellis, M. T., by virtue of paragraph II of Department Special Orders No. 54, and paragraphs I and II of No. 75, current series..... 54
The General Court Martial convened at Fort Seward, D. T., by virtue of paragraph III of Department Special Orders No. 117, and Special Orders No. 132, current series..... 56
The Court of Inquiry instituted by paragraph III of Department Special Orders No. 125, current series..... 58
The General Court Martial convened at Fort Snelling, Minnesota, by virtue of paragraph VI of Department Special Orders No. 155, current series..... 60
The General Court Martial convened at Fort Ellis, M. T., by virtue of paragraph IV of Department Special Orders No. 176, current series, 66
The General Court Martial convened at Fort Abraham Lincoln, D.T., by virtue of paragraph I of Department Special Orders No 85, current series..... 69
The General Court Martial convened at Fort Sully, D. T., by virtue of paragraph I of Department Special Orders No. 161, current series.... 73
The General Court Martial convened at Fort Seward, D. T., by virtue of paragraph III of Department Special Orders No. 223, current series..... 74
The General Court Martial convened at Fort Shaw, M. T., by virtue of Department Special Orders No. 51, current series..... 77
The General Court Martial convened at Fort Rice, D. T., by virtue of paragraph II of Department Special Orders No. 215, current series.. 79
The General Court Martial convened at Fort Abercrombie, D. T., by virtue of paragraph I of Department Special Orders No. 220, current series..... 85

DISTRICT COMMANDERS.

Of the Middle and Southern Districts referred to Department General Orders No. 64, of 1869, for information in regard to their duties and powers..... 59

E.

ESTIMATES. (*See* ANNUAL ESTIMATES.)

EXTRA DUTY MEN.

Directs reduction of, in Quartermaster's Department..... 2
If necessary to increase force of, in Quartermaster's Department, application must be made to Department Headquarters for authority..... 2
Company Artificers and Wagoners to be employed, as far as practicable, as mechanics and teamsters in Quartermaster's Department, in lieu of..... 2
Of Quartermaster's Department to be paid as soon after the end of each month as funds are available for the purpose..... 57

F.

FUEL.

Issues of increased allowance of, to be made in accordance with War Department General Orders No. 18, current series..... 21

FUNDS.

Regulates distribution of, for payment of indebtedness of Quartermaster's Department..... 57

FUNDS.—*Continued.*

Regular and special estimates of, for payment of indebtedness of Quartermaster's Department at posts, etc., when, how, by whom, and to whom forwarded 57

G.

GENERAL COURT MARTIAL. (*See* DISSOLVED.)

Promulgates proceedings of, 1, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 72, 73, 74, 75, 77, 79, 80, 81, 82, 83, 84, 85.

The full uniform prescribed by Army Regulations to be worn by members of, when in session, and by officers appearing as counsel, and all officers and enlisted men appearing as witnesses 43

Judge Advocates of, when in session, to wear the Regulation undress uniform 43

Persons on trial by, to wear full Regulation uniform, but without side arms 43

Directs Post Commanders to make certain report in regard to men in confinement at their posts awaiting trial by 78

GENERAL ORDERS.

In obedience to requirements of War Department, No. 1, current series, directs reduction of civil employés, rates of pay, and of extra duty men in Quartermaster's Department 2

In obedience to requirement of, No. 1, current series, Headquarters Military Division of the Missouri, reduces and fixes civil employés of Quartermaster's Department at certain posts and their rates of pay. 7

Revokes Department, No. 73, series of 1872 21

War Department, No. 18, current series, to govern in making issues of fuel 21

Refers Commanders of Middle and Southern Districts to Department, No. 64, of 1869, for information in regard to their duties and powers. 59

J.

JUDGE ADVOCATES.

Of General Courts Martial and Courts of Inquiry, when in session, to wear the Regulation undress uniform 43

M.

MIDDLE DISTRICT.

Designates posts to be comprised in, the headquarters and commander of 59

MILITARY DIVISION OF THE MISSOURI.

In obedience to requirements of General Orders No. 1, current series, Headquarters, reduces and fixes civil employés of Quartermaster's Department, at certain posts, and their monthly rates of pay 7

MONTHLY RATES OF PAY. (*See* PAY.)

N.

NON-COMMISSIONED OFFICERS.

Prescribes channels of communication for a Company Commander in making application for the reduction of a, of his company on detached duty at a battalion or post headquarters 6

P.

PAY.

Directs reduction of rates of, of civil employés in Quartermaster's Department 2

Reduces and fixes monthly rates of, of civil employés of Quartermaster's Department at certain posts 7

POST COMMANDERS.

Directs, to see certain instructions carried out, and to take certain action in reference to reduction, &c., of force of civil employés and extra duty men in Quartermaster's Department 2

Charges, with the execution of certain instructions relative to reducing, fixing, &c., civil employés of Quartermaster's Department, and their monthly rates of pay 7

(*See* COMMANDING OFFICERS OF POSTS.)

Directs, to forward annual estimates of supplies for Quartermaster's Department 70

Directs, to cause annual requisitions for supplies for Subsistence Department to be made and forwarded 71

Directs, to make certain reports in regard to men in confinement at their posts awaiting trial by General Courts Martial 78

POST QUARTERMASTERS.

Regulates remittances of funds to, and others concerned, and payment of indebtedness of Quartermaster's Department by, ... 57

Q.

QUARTERMASTER'S DEPARTMENT.

Directs reduction of civil employés, rates of pay, and of extra duty men in, ... 2

Reduces and fixes civil employés of, at certain posts, and their monthly rates of pay 7

Orders discharge of civil employés of, at certain posts 7

Directs certain action on the part of Commanding Officers of posts and officers of and in duty in the, with a view to the prompt and regular payment of all properly incurred indebtedness of that department; and forbids the contraction of any indebtedness on account of, without authority from Department Headquarters, except in certain specified emergencies 57

R.

RATES OF PAY. (*See* PAY.)

REGIMENTAL HEADQUARTERS.

Prescribes channels of communication for a company commander, in making application to his, for the reduction of a non-commissioned officer of his company on detached duty at a battalion or post headquarters 6

REPORT.

Directs post commanders to make certain, of men in confinement at their posts, awaiting trial by General Court Martial 78

REQUISITIONS. (*See* ANNUAL REQUISITIONS.)

REVOKED.

Department General Orders No. 73, series of 1872 21

ROSTER.

Publishes, for the information of the command 76

S.

SOUTHERN DISTRICT.
Designates posts constituting the, the headquarters and commander of..... 59

SUPPLIES. (*See* ANNUAL ESTIMATES.)
(*See* ANNUAL REQUISITIONS.)

U.

UNIFORM.
Prescribes portion of Regulation, to be worn by all persons concerned, during sessions of General Courts Martial and Courts of Inquiry..... 43

W.

WAGONERS. (*See* COMPANY ARTIFICERS AND WAGONERS.)

WAR DEPARTMENT.
In obedience to requirements of, General Orders No. 1, current series, directs reduction of civil employés, rates of pay, and of extra duty men in Quartermaster's Department..... 2
General Orders No. 18, current series, to govern in making issues of fuel..... 21

General Orders No. 85 is the last of series of 1874.

INDEX OF CIRCULARS.

INDEX OF NAMES.

A.

Acting Commissary of Subsistence Fort Randall 3

C.

Commissioner of Indian Affairs..... 13
Coulson, S. B..... 6

R.

Rucker, D. H..... 6

INDEX OF SUBJECTS.

A.

ACCOUNTS CURRENT.

Direct that, of subsistence funds pertaining to fiscal year ending June 30th, 1874, be made separate after that date..... 8

ACTING ASSISTANT SURGEONS.

Publishes decision of War Department that that Department General Orders No. 13, current series, was not intended to be applied to, and that the term civilian employés, as usually employed in General Orders, does not apply to,..... 3

ACTING COMMISSARIES OF SUBSISTENCE.

Directs Commanding Officers of posts to cause their, to forward to the Chief Commissary of Subsistence of the Department, at specified dates, certain funds..... 4

Directs Commanding Officers of posts to cause their, to pay certain indebtedness of Subsistence Department, to transfer certain funds to the Chief Commissary of Subsistence of the Department, and to forward to Department Headquarters certain lists and certified accounts of indebtedness of that department..... 8

ACT OF CONGRESS.

Calls attention of certain officers to the provisions of the, of June 16, 1874, in reference to the issue of certain articles of old pattern clothing..... 10

ADVERTISING. (*See* NEWSPAPERS.)

BOARDS OF SURVEY.

Instructs post commanders and others concerned in reference to appointment, &c., of, to receive, &c., supplies transported by Missouri River transportation contractor..... 6

C.

CHIEF COMMISSARY OF SUBSISTENCE OF THE DEPARTMENT.

Directs the transfer to the, of certain subsistence funds..... 4, 8

CHIEF QUARTERMASTER OF THE DEPARTMENT.

Directs the transfer to the, of certain public funds..... 9

CIRCULAR.

Publishes decision of War Department defining status as to forfeitures of men discharged under provisions of that department, of June 23, 1874 11

CIRCULAR LETTER OF INSTRUCTIONS.

Publishes for the information of the command, from the Commissioner of Indian affairs to Indian agents, in reference to the course to be pursued by the latter to restrain and punish lawless agency Indians 13

CIVILIAN EMPLOYES.

Publishes decision of War Department that Acting Assistant Surgeons are not, in the sense in which the term is usually employed in General Orders 3

CLOTHING.

Calls attention of certain officers to the Act of Congress of June 16, 1874, which provides for the issue of certain articles of old pattern, and directs that such articles be held for issue 10

COMMANDING OFFICERS OF POSTS.

Directs, to cause their Acting Commissaries of Subsistence to forward certain subsistence funds to the Chief Commissary of Subsistence of the Department 4

Directs, to cause their Acting Commissaries of Subsistence to pay certain indebtedness of the Subsistence Department, to transfer certain funds to the Chief Commissary of Subsistence of the Department, and to forward to Department Headquarters certain lists and certified accounts of indebtedness: such lists and accounts to be approved by them 8

COMMISSARY SERGEANTS. (*See* POST COMMISSARY SERGEANTS.)

COMMISSIONED OFFICERS.

Publishes decision of War Department that Acting Assistant Surgeons are *quasi*-, ... 3

COMMISSIONER OF INDIAN AFFAIRS.

Publishes Circular Letter of Instructions from the, to Indian Agents, in reference to the course to be pursued by the latter to restrain and punish lawless agency Indians 13

CONTRACT.

Calls the attention of Post Commanders and others concerned to the requirements of Article VIII of the, of the Missouri River transportation contractor 6

COURTS (MARTIAL)

Publishes for the information of officers serving in the Department, instructions for, ... 5

D.

DECISION.

Publishes, of War Department that that Department General Orders No. 13, current series, was not intended to be applied to Acting Assistant Surgeons; and that they are not considered civilian employés in the sense in which the term is usually employed in General Orders, but *quasi*-commissioned officers 3

Publishes, of War Department defining status as to forfeitures of men discharged under provision of that department circular of June 23, 1874 11

F.

FORAGE. (*See* FUEL, FORAGE AND STRAW.)

FORFEITURES.

Publishes decision of War Department, defining status as to, of men discharged under provisions of that department circular of June 23, 1874 11

FORMULA.

Publishes, for the record of proceedings of General and Garrison Courts Martial 5

FUEL, FORAGE AND STRAW.

Instructs Post Commanders as to amounts of, to be received for service of Quartermaster's Department under existing contracts for current fiscal year; and directs that certain reports relative to such supplies be forwarded to Department Headquarters 12

FUNDS.

Directs the transfer to the Chief Commissary of Subsistence of the Department of certain subsistence 4, 8

Directs the transfer to the Chief Quartermaster of the Department of certain public (Quartermaster's) 9

G.

GARRISON COURT MARTIAL.

Publishes formula for record of proceedings of 5

GENERAL COURTS MARTIAL.

Publishes formula for record of proceedings of 5

GENERAL ORDERS.

Publishes decision of War Department that that Department, No. 13, current series, was not intended to be applied to Acting Assistant Surgeons 3

I.

INDIAN AGENTS.

Publishes for the information of the command, Circular Letter of Instructions from the Commissioner of Indian Affairs to, in reference to the course to be pursued by the latter, to restrain and punish lawless agency Indians 13

INDIANS.

Publishes Circular Letter of Instructions from the Commissioner of Indian Affairs to Indian Agents, in reference to the course to be pursued by the latter to restrain and punish lawless agency 13

INSTRUCTIONS. (*See* CIRCULAR LETTER OF INSTRUCTIONS.)

INSTRUCTIONS FOR COURTS AND JUDGE ADVOCATES.

Publishes for the information and guidance of officers serving in the department 5

J.

JUDGE ADVOCATES.

Publishes for the information and guidance of officers serving in the department, instructions for 5

M.

MONTHLY REPORTS.

Prescribes channels of transmission for, of Post Commissary Sergeants 1

N.

NEWSPAPERS.

Announces the "*Sioux Falls Pantagraph*," as placed on the advertising list of, of the War Department..... 2

Announces the "*Bismarck Tribune*," as placed on the advertising list of, of the War Department..... 7

P.

POST COMMANDERS. (*See* COMMANDING OFFICERS OF POSTS.)

Calls attention of, and others concerned, to Article VIII of the contract of the Missouri River transportation contractor, providing for Boards of Survey to receive, &c., supplies transported by said contractor, and instructs in reference to appointment of such Boards... 6

Instructs, and others concerned, as to amounts of certain regular supplies of Quartermaster's Department to be received under existing contracts for current fiscal year; and directs certain reports relative to such supplies to be forwarded to Department Headquarters..... 12

POST COMMISSARY SERGEANTS.

Prescribes channels of transmission for monthly reports of,..... 1

PUBLIC FUNDS.

Directs the transfer to the Chief Quartermaster of the Department of certain,..... 9

QUARTERMASTER'S DEPARTMENT.

Directs the transfer to the Chief Quartermaster of the Department of certain public funds pertaining to appropriations for, and the discharge of certain indebtedness of,..... 9

REGULAR SUPPLIES.

Instructs Post Commanders and others concerned as to amounts of certain, of Quartermaster's Department to be received under existing contracts for current fiscal year; and directs that certain reports relative to such supplies be forwarded to Department Headquarters. 12

REPORTS.

Prescribes channels of transmission for monthly, of Post Commissary Sergeants..... 1

Directs that certain, of funds required for the discharge of indebtedness of Quartermaster's Department at posts, be made by officers of that Department..... 9

S.

STRAW. (*See* FUEL, FORAGE AND STRAW.)

SUBSISTENCE DEPARTMENT.

Directs certain action on the part of Post Commanders and others with a view to the payment of indebtedness of the,..... 8

SUBSISTENCE FUNDS.

Directs commanding officers of posts to cause their Acting Commissaries of Subsistence to forward to the Chief Commissary of Subsistence, at specified dates, certain,..... 4

SUBSISTENCE FUNDS.—*Continued.*

Directs the transfer by Acting Commissaries of Subsistence to the Chief Commissary of Subsistence of the Department of certain; and that accounts current of, pertaining to fiscal year ending June 30, 1874, be made separate after that date..... 8

T.

TRANSFER.

Directs the, of certain subsistence funds..... 4, 8

Directs the, of certain Quartermaster's funds..... 9

W.

WAR DEPARTMENT. (*See* DECISIONS.)

Circular No. 13 is the last of series of 1874.

G. C. M.

Private *Anton Muller*, Company "I," 6th Infantry.

HEADQUARTERS DEPARTMENT OF DAKOTA,

St. Paul, Minn., January 13, 1874.

GENERAL ORDERS No. 1.

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of paragraph V., Special Orders No. 138, series of 1873, from these Headquarters, and of which Colonel *W. B. Hazen*, 6th Infantry, is President, was arraigned and tried:

Private *Anton Muller*, Company "I," 6th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that Private *Anton Muller*, Company 'I,' 6th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same, on or about July 4, 1873, and did remain so absent until apprehended, at or near a point called Discovery Butte, Dakota Territory, on or about July 11, 1873, for which apprehension Thirty Dollars ($30.00) reward was paid. This at Fort Buford, D. T., on or about July 4th, 1873."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Anton Muller*, Company 'I,' 6th U. S. Infantry, having been regularly detailed and mounted as a member of the Post Guard, at Fort Buford, D. T., and placed in

charge of four general prisoners at work, did permit and assist said prisoners to escape and abscond himself with them. This at Fort Buford, D. T., on July 4, 1873.

CHARGE III.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Anton Muller*, Company 'I,' 6th U. S. Infantry, did, on July 4, 1873, feloniously take, steal and carry away and appropriate to his own use, one (1) Springfield B. L. R. Musket, model 1868, one (1) complete set of Infantry Equipments, (ordinary,) and twenty-five (25) metallic ball cartridges, amounting in value to twenty-six dollars and twenty nine cents, ($26.29) the property of the United States, and for which Captain E. R. Ames, 6th Infantry is responsible. All this at Fort Buford, D. T., on July 4, 1873.

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE III.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty.

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty.

CHARGE III.

Of the *Specification* "Guilty."
Of the CHARGE, "Guilty.

SENTENCE.

And the Court does therefore sentence him, Private *Anton Muller*, Company 'I,' 6th United States Infantry, "*To forfeit to the United States all pay and allowances that are or may become due him, except the just dues of the Laundress, to be confined at hard labor at such place as the Department Commander may direct, for five* (5) *years, and then to be dishonorably discharged.*

II...The proceedings, findings, and sentence in the foregoing case of Private *Anton Muller*, Company "I," 6th Infantry, are approved, and the sentence will be duly executed. The Minnesota State prison at Stillwater, Minn., is designated as the place of confinement.

III...The General Court Martial which convened at Fort Buford, D. T. by virtue of paragraph V, Special Orders No. 138, series of 1873, from these headquarters, and of which Colonel *W. B. Hazen*, 6th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

HEADQUARTERS DEPARTMENT OF DAKOTA.

St. Paul, Minn., January 16, 1874.

GENERAL ORDERS
No. 2.

In obedience to the requirements of War Department, General Orders No. 1, current series, the Department Commander directs that the following reductions of the civil employees, rates of pay, and of extra duty men in the Quartermaster's Department, shall take effect at the several posts in this Department on the first proximo, or so soon thereafter as this order is received.

Post Commanders will see that these instructions are carried out.

Fort Abercrombie, D. T. The number of extra duty men to be reduced so as not to exceed seventeen.

Fort Abraham Lincoln, D. T. The number of extra duty men to be reduced so as not to exceed twenty.

The civilian agent and all civilian teamsters except six, to be discharged.

Fort Benton, M. T. The number of extra duty men to be reduced so as not to exceed seven.

Camp Baker, M. T. The number of extra duty men to be reduced so as not to exceed six.

Fort Buford, D. T. The number of extra duty men to be reduced so as not to exceed twenty-two.

Cheyenne Agency, D. T. The number of extra duty men to be reduced so as not to exceed eleven.

Fort Ellis, M. T. The number of extra duty men to be reduced so as not to exceed seventeen.

Lower Brule Agency, D. T. The number of extra duty men to be reduced so as not to exceed eight.

Camp Hancock, D. T. The number of extra duty men to be reduced so as not to exceed three.

Grand River Agency, D. T. The number of extra duty men to be reduced so as not to exceed ten.

Fort Pembina, D. T. The number of extra duty men to be reduced so as not to exceed twelve.

Fort Randall, D. T. The number of extra duty men to be reduced so as not to exceed fifteen,

Fort Ripley, Minn. The number of extra duty men to be reduced so as not to exceed fourteen.

Fort Rice, D. T. The number of extra duty men to be reduced so as not to exceed seventeen.

Fort Snelling, Minn. The number of extra duty men to be reduced so as not to exceed fourteen.

Fort Seward, D. T. The number of extra duty men to be reduced so as not to exceed ten.

The civilian clerk to be discharged.

Fort Shaw, M. T. The number of extra duty men to be reduced so as not to exceed twenty.

Fort Sully, D. T. The number of extra duty men to be reduced so as not to exceed twenty-three.

Fort Stevenson, D. T. The number of extra duty men to be reduced so as not to exceed fourteen.

Fort Totten, D. T. The number of extra duty men to be reduced so as not to exceed seventeen.

Fort Wadsworth, D. T. The number of extra duty men to be reduced so as not to exceed twelve.

Chief Quartermaster's Office, St. Paul, Minn.

One Chief Clerk to be allowed $150 per month. The rate of compensation of the other authorized Clerks shall not exceed $125 per month each.

The authorized company artificers and wagoners, will be employed as mechanics and teamsters at their respective posts so far as practicable in lieu of extra duty men.

Post Commanders will make such further reduction, both in the force of civil employees and extra duty men, from time to time as the nature of

the service will admit; and should the exigencies of the service demand any increase in such force, application will be made to these headquarters for the necessary authority.

By Command of Brigadier General Terry.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *John Lee*, Company "G," 22d Infantry.
2. Private *Farrell McNulty*, Company "B," 22d Infantry.
3. Private *William Stevens*, Company "G," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 17, 1874.

GENERAL ORDERS }
No. 3. }

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of Special Orders No. 265, series of 1873, from these Headquarters, and of which Lieutenant Colonel E. S. OTIS, 22d Infantry, is President, were arraigned and tried:—

1st. Private *John Lee*, Company "G," 22d Infantry.

CHARGE.—"Violation of the 50th Article of War."

Specification.—"In this: that he, Private *John Lee*, Company 'G,' 22d Infantry, being regularly detailed and mounted on the post guard at Fort Randall, D. T., did quit said guard without permission from proper authority. All this at Fort Randall, D. T., on or about the 7th day of November, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *John Lee*, Company "G," 22d Infantry.

2d. Private *Farrell McNulty*, Company "B," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Farrell McNulty*, Company 'B,' 22d Infantry, did become so drunk as to be unable to perform the duties required of him as a member of a party engaged in whitewashing the quarters of his company. This at Fort Randall, D. T., on or about the 7th day of November, 1873."

Specification II.—"In this: that he, the said Private *Farrell McNulty*, Company 'B,' 22d Infantry, did, while being conducted to the post guard-house as a prisoner, offer resistance to, refuse to proceed with, and make his escape from, Corporal Pierson M. Harwood, Company 'B,' 22d Infantry, in whose custody he was, saying, 'I won't go; and kiss my ——,' or words to that effect, the said Corporal Pierson M. Harwood, Company 'B,' 22d Infantry, being at the time in the execution of his office. This at Fort Randall, D. T., on or about the 7th day of November, 1873."

Specification III.—"In this: that he, the said Private *Farrell McNulty*, Company 'B,' 22d Infantry, upon being ordered by 1st Sergeant Jabez S. Smith, Company 'B,' 22d Infantry, to proceed quietly as a prisoner to the post guard-house, in the custody of Corporal Pierson M. Harwood, Company 'B,' 22d Infantry, did refuse and fail to obey said order, and did thereupon run away and evade arrest, saying, 'Go to hell, Smith,' or words to that effect, the said 1st Sergeant Jabez S. Smith, Company 'B,' 22d Infantry, being at the time in the execution of his office. This at Fort Randall, D. T., on or about the 7th day of November, 1873."

Specification IV.—"In this: that he, the said Private *Farrell McNulty*, Company 'B,' 22d Infantry, having been arrested by Sergeant

Richard Fletcher, Company 'B,' 22d Infantry, did repeatedly make his escape from and refuse to submit himself to the custody of the said Sergeant Richard Fletcher, Company 'B,' 22d Infantry, he being in the execution of his office, in charge of an armed party, attempting to confine the said Private *Farrell McNulty*, Company 'B,' 22d Infantry, in the post guard-house, by proper authority. This at Fort Randall, D. T., on or about the 7th day of November, 1873."

Specification V.—"In this: that he, the said Private *Farrell McNulty*, Company 'B,' 22d Infantry, having made his escape from an armed party sent to effect his arrest, and being ordered by 1st Sergeant Jabez S. Smith, Company 'B,' 22d Infantry, to whom he had surrendered himself, to go to the post guard-house as a prisoner, with Corporal Pierson M. Harwood, Company 'B,' 22d Infantry, did refuse and neglect to obey said order, saying, 'I wont go with Harwood,' or words to that effect. This at Fort Randall, D. T., on or about the 7th day of November, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the 3d *Specification*, "Guilty."
To the 4th *Specification*, "Guilty."
To the 5th *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the 4th *Specification*, "Guilty."
Of the 5th *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Farrell McNulty*, Company "B," 22d Infantry, "*To forfeit to the United States ten dollars* ($10.00) *of his monthly pay per month for four* (4) *months, and to be confined in charge of the guard, at hard labor, for the same period.*"

3d. Private *William Stevens*, Company "G," 22d Infantry.

CHARGE.—"Violation of the 50th Article of War."

Specification.—"In this: that he, Private *William Stevens*, Company 'G,' 22d Infantry, being regularly detailed and mounted on the post guard at Fort Randall, D. T., did quit said guard, remove his accoutrements, and visit the post trader's store, without permission from proper authority. All this at Fort Randall, D. T., on or about the 7th day of November, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'quit said guard and visit the post trader's store,' and of the excepted words, Not Guilty."
Of the CHARGE, "Not Guilty, but Guilty of conduct prejudicial to good order and military discipline."

SENTENCE.

And the Court does therefore sentence him, Private *William Stevens*, Company "G," 22d Infantry, "*To forfeit to the United States five dollars* ($5.00) *of his monthly pay for one* (1) *month, and to be confined in charge of the guard for twenty* (20) *days.*"

II...The proceedings and findings in the foregoing case of Private *John Lee*, Company "G," 22d Infantry, are approved. Orders have

already been issued for his release from confinement and restoration to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Farrell McNulty*, Company "B," 22d Infantry, are approved. Upon the recommendation of the Court, the sentence is mitigated to a forfeiture of ten (10) dollars of his monthly pay for one month. He will be released from confinement and restored to duty.

In the foregoing case of Private *William Stevens*, Company "G," 22d Infantry, the proceedings, findings, and sentence are approved. In view of the length of time the prisoner has been in confinement, the sentence is remitted. He will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Randall, D. T., by virtue of Special Orders No. 265, series of 1873, from these Headquarters, and of which Lieutenant Colonel E. S. Otis, 22d Infantry, is President, is hereby dissolved.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain, 3d Infantry, A. D. C.

G. C. M.

1. Private *Francis P. McElroy*, Company "G," 2d Cavalry.
2. Private *James Doyle*, Company "A," 7th Infantry.
3. Corporal *R. B. Dickenson*, Company "A," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., January 19, 1874.

GENERAL ORDERS
No. 4.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph 3, Special Orders No. 252, current series, from these Headquarters, and of which Captain GEORGE L. TYLER, 2d Cavalry, is President, were arraigned and tried:—

1st. Private *Francis P. McElroy*, Company "G," 2d Cavalry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Francis P. McElroy*, Company 'G,' 2d Cavalry, did feloniously steal, take, and carry away, or was one of a party who did feloniously steal, take, and carry away, with intent to convert to his own use and benefit, from the quarters of Company 'A.' 7th Infantry, one (1) woolen blanket, the property of Private John Kelly, Company 'A,' 7th Infantry. This at Fort Ellis, M. T.. on or about the 7th day of October, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Francis P. McElroy*, Company "G," 2d Cavalry, "*To be confined at hard labor under charge of the guard, for the period of six* (6) *months, to forfeit all pay and allowances that may be now due or may become due, except the just dues of the laundress for the same period, and then to be dishonorably discharged the service.*"

2d. Private *James Doyle*, Company "A," 7th Infantry.

CHARGE.—"Violation of the 54th Article of War."

Specification.—"In this: that he, Private *James Doyle*, Company 'A,' 7th Infantry, did maliciously set fire to the dwelling house of Isaac Crabtree, situated on or near Flat Head Pass Creek, Gallatin County, Montana, thereby causing the destruction of said dwelling house. All this on or about the 5th day of August, 1873, at or near the place above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Doyle*, Company "A," 7th Infantry, "*To be confined at hard labor in charge*

of the guard at the post where his Company may be serving, for the period of one (1) *year, wearing a ball weighing twelve* (12) *pounds attached to his left leg by a chain four* (4) *feet long, to forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, and then to be dishonorably discharged the service.*"

3d. Corporal *R. B. Dickenson*, Company "A," 7th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Corporal *R. B. Dickenson*, Company 'A,' 7th Infantry, being present with a party of soldiers of Company 'A,' 7th Infantry, at or near Flat Head Pass Creek, Gallatin County, Montana, did permit one or more of said soldiers to set fire to the dwelling house of Isaac Crabtree, and did neglect to take the necessary measures to put out or prevent the fire from destroying the said dwelling house. All this at or near the place above mentioned, on or about the 5th day of August, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Corporal *R. B. Dickenson*, Company "A," 7th Infantry.

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Francis P. McElroy*, Company "G," 2d Cavalry, and *James Doyle*, Company "A," 7th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the foregoing case of Corporal *R. B. Dickenson*, Company "A," 7th Infantry, are approved. Orders have already been issued for his release from arrest and restoration to duty.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Patrick Dillon*, Company "A," 17th Infantry.
2. Private *Robert Dougal*, Company "A," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., January 20, 1874.

GENERAL ORDERS
No. 5.

I...Before a General Court Martial which convened at Fort Abercrombie, D. T., by virtue of paragraph 2, Special Orders No. 256, series of 1873, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, were arraigned and tried:—

1st. Private *Patrick Dillon*, Company "A," 17th Infantry.

CHARGE.—"Absence without leave."

Specification I.—"In this: that Private *Patrick Dillon*, Company 'A,' 17th Infantry, did, without permission from proper authority, absent himself from his company and post, and cross the Red River towards the village of McCauleyville, Minn., on the 9th day of November, 1873."

Specification II.—"In this: that Private *Patrick Dillon*, Company 'A,' 17th Infantry, did, without permission from proper authority, absent himself from his company and post after tattoo roll call, November 21st, 1873, and remain absent until arrested and brought back by the Corporal of the Guard, between the hours of 10 and 12 o'clock P. M. All this at Fort Abercrombie, D. T., on the dates above specified."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE. "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Dillon*, Company "A," 17th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for one month.*"

2d. Private *Robert Dougal*, Company "A," 17th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this: that Private *Robert Dougal*, Company 'A,' 17th Infantry, did, without proper authority, absent himself from his company and post, and cross the Red River. This on or about the 22d of November, 1873."

CHARGE II.—"Violation of the 44th Article of War."

Specification.—"In this: that he, Private *Robert Dougal*, Company 'A,' 17th Infantry, having been detailed by the proper authority for guard duty, did absent himself from his company and post, and did fail to appear at the time fixed for guard mounting, and did remain absent until arrested in the town of McCauleyville, Minn., between the hours of 10 A. M. and 12 M., on the 22d of November, 1873. All this at Fort Abercrombie, D. T., and McCauleyville, Minn., on the dates above mentioned."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Robert Dougal*, Company "A," 17th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for the period of two months, and to be confined at hard labor for the same period.*"

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Patrick Dillon* and *Robert Dougal*, Company "A," 17th Infantry, are approved, and the sentences will be duly executed. Private *Dillon* will be released from confinement and restored to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

HEADQUARTERS DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 5, 1874.

GENERAL ORDERS, No 6.

Hereafter, any communication from a Company Commander serving in this command to his Regimental headquarters, relative to the reduction of a non-commissioned officer of his company on detatched duty at a battalion or post headquarters, must be forwarded through the headquarters at which the non-commissioned officer may be serving.

BY COMMAND OF BRIGADIER GENERAL TERRY

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

HEADQUARTERS DEPARTMENT OF DAKOTA.

St. Paul, Minn., February 6, 1874.

GENERAL ORDERS,
No. 7.

In obedience to the requirements of General Orders No. 1, current series, headquarters Military Division of the Missouri, the civil employees of the Quartermaster's Department, and their monthly rate of pay at the several posts named herein, are reduced and fixed as follows:

Fort Abercrombie, D. T., one (1) storekeeper and agent at $100; one (1) Trainmaster at $50; one (1) Blacksmith at $65; one (1) principal herder at $50; 28 herders at $25.

Fort Abraham Lincoln, D. T., one (1) Clerk at $100; one (1) Interpreter at $50; one (1) Blacksmith at $65.

Fort Buford, D. T., one (1) Clerk at $100; one (1) Blacksmith at $65; one (1) Interpreter at $50.

Cheyenne Agency, D. T., one (1) Blacksmith at $65; one (1) Interpreter at $50.

Fort Ellis, M. T., one (1) Clerk at $100; one (1) Blacksmith at $75.

Fort Pembina, D. T., one (1) Blacksmith at $65.

Fort Randall, D. T., one (1) Blacksmith at $65; one (1) Engineer at $100; one (1) Interpreter at $50.

Fort Rice, D. T., one (1) Clerk at $100; one (1) Blacksmith at $65; one (1) Interpreter at $50.

Fort Snelling, Minn., (post) one (1) Blacksmith at $65.

Fort Snelling, Minn., (clothing depot) one Clerk at $90; one (1) Packer at $40.

Fort Seward, D. T., one (1) Blacksmith at $65.

Fort Shaw, M. T., one (1) Clerk at $100; one (1) Telegraph Operator at $100; one (1) Blacksmith at $75; one (1) Guide and Interpreter at $50.

Fort Sully, D. T., one (1) Blacksmith at $65; one (1) Interpreter at $50.
Fort Stevenson, D. T., one (1) Blacksmith at $65; one (1) Interpreter at $50.
Fort Totten, D. T., one (1) Blacksmith at $65; one (1) Interpreter at $50.
Sioux City, Iowa., one (1) Clerk at $125; one (1) messenger and watchman at $40.

The civil employees of the Quartermaster's Department at the following named posts are hereby discharged, viz: Fort Benton and Camp Baker, M. T., Grand River and Lower Brule Agencies, D. T., Fort Ripley, Minn., Camp Hancock and Fort Wadsworth, D. T.

This order will take effect at once, and Post Commanders are charged with its execution within their respective commands.

No increase in the number of employees or in their rates of compensation will be sanctioned except upon authority from these headquarters. Post Commanders will, however, make such further reductions as the exigencies of the service will admit.

By Command of Brigadier General Terry

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

Private *Leander B. Stoyell*, Company "K," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 7, 1874.

GENERAL ORDERS No. 8.

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of paragraph II, Special Orders No. 228, series of 1873, from these Headquarters, and of which Captain C. J. DICKEY, 22d Infantry, is President, was arraigned and tried:—

Private *Leander B. Stoyell*, Company "K," 17th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Leander B. Stoyell*, Company 'K,' 17th Infantry, did assault and throw down Corporal Thomas Kelly of the same company and regiment, inflicting upon said Kelly a serious injury, to wit: laceration of the scrotum, the said Corporal Kelly being at the time in the execution of his office, attempting to confine said Private *Leander B. Stoyell* for disorderly conduct in the quarters of his Company. This at Cheyenne Agency, D. T., on or about October 8, 1873."

Specification II.—"In this: that he, Private *Leander B. Stoyell*, Company 'K,' 17th Infantry, did load a musket and assault therewith Corporal Thomas Kelly of the same company and regiment, with intent to kill Corporal Kelly, said Corporal Kelly being at

the time in the execution of his office endeavoring to confine said Private *Leander B. Stoyell*, for disorderly conduct in the quarters of his Company. This at Cheyenne Agency, D. T., on or about October 8, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Leander B. Stoyell*, Company "K," 17th Infantry.

II...The proceedings and findings in the foregoing case of Private *Leander B. Stoyell*, Company "K," 17th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *John L. Allen*, Company "A," 22d Infantry.
2. Private *Henry Smith*, Company "I," 22d Infantry.
3. Private *John Reardon*, Company "K," 22d Infantry.
4. Private *Robert Hilliard*, Company "K," 22d Infantry.
5. Private *Michael Burnell*, Company "K," 22d Infantry.
6. Private *Luke Clougher*, Company "K," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 8, 1874.

GENERAL ORDERS }
No. 9. }

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of paragraph II, Special Orders No. 228, series of 1873, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, were arraigned and tried:—

1st. Private *John L. Allen*, Company "A," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *John L. Allen*, Company 'A,' 22d Infantry, did desert the service of the United States, and did remain absent therefrom until apprehended at or near White Swan, D. T., on or about July 19, 1873. This at Fort Sully, D. T., on or about the 5th day of July, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, confirms the plea of the accused.

SENTENCE.

And the Court does therefore sentence him, Private *John L. Allen*, Company "A," 22d Infantry, "*To forfeit all pay now due or to become due, to be confined at hard labor in charge of the guard for three* (3) *years, and at the end of that period to be dishonorably discharged the service of the United States.*"

2d. Private *Henry Smith*, Company "I," 22d Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Private *Henry Smith*, Company 'I,' 22d Infantry, did maliciously strike and pierce the udder of a cow with the tines of a pitchfork, thereby intending to destroy said cow, the property of 1st Lieutenant William Conway, 22d Infantry. This at Fort Sully, D. T., on or about the 7th day of November, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Smith*, of Company "I," 22d Infantry, "*To forfeit to the United States ten* (10)

dollars per month of his monthly pay for ten months, and to be confined at hard labor in charge of the guard for three months."

3d. Private *John Reardon*, Company "K," 22d Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Private *John Reardon*, Company 'K,' 22d Regiment of Infantry, did enter the squad room of Sergeant Robert Hannold, Company 'K,' 22d Infantry, while slightly under the influence of liquor, and commence a quarrel with Private Garrity, of Company 'K,' and upon being ordered by Sergeant Hannold to stop his noise and abuse, did reply in words to wit: 'I won't stop for you, you damned son of a b——; you can't make me, God damn you; you are a cowardly son of a b——, and a deserter from the 16th Infantry; Hannold, you God damned son of a b——, I can lick you if you come out.'"

Specification II.—"In this: that it being necessary for Sergeant Hannold to go to the guard-house for a file of the guard, for the purpose of arresting Private *John Reardon* for mutinous conduct in the squad room of Sergeant Hannold, he (*Reardon*) did throw off his coat, roll up his sleeves, and pursue him, (Hannold), cursing him and threatening him with personal violence, striking at him several times."

Specification III.—"In this: that he, Private *John Reardon*, Company 'K,' 22d Infantry, when the sergeant of the guard, (Patrick Duffy a sergeant of Company 'E,' 22d Infantry,) attempted to confine him, did offer violent resistance to the guard, so as to render it necessary for the sergeant of the guard at Fort Sully, D. T., to use forcible measures to enforce discipline."

Specification IV.—"In this: that he, Private *John Reardon*, Company 'K,' 22d Infantry, did accost Sergeant Robert Hannold from the window of the guard-house several hours after his (*Reardon's*) confinement, saying in words to wit: 'Hannold, you son of a b——; I'll get square with you for this; you can kiss my ——, God damn you, and tell Captain Hooton he can do the same

thing.' All this at Fort Sully, D. T., on the 19th day of November, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty, excepting the words 'slightly,' and 'and commence a quarrel with Private Garrity, of Company 'K.'"
To the 2d *Specification*, "Guilty, excepting the word 'mutinous.'"
To the 3d *Specification*, "Guilty."
To the 4th *Specification*, "Guilty."
To the CHARGE. "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty, excepting the word 'mutinous,' and substitute therefor the word 'disorderly.'"
Of the 3d *Specification*, "Guilty."
Of the 4th *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Reardon*, of Company "K," 22d Infantry, "*To be confined at hard labor in charge of the guard, for two months, carrying a log of wood weighing 30 pounds, two hours on and two hours off, between 'reveille' and 'tattoo,' allowing one half hour three times per day for meals, and to forfeit eleven dollars per month of his monthly pay for ten months.*"

4th. Private *Robert Hilliard*, Company "K," 22d Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Private *Robert Hilliard*, Company 'K,' 22d Infantry, did commence a disturbance in the mess hall of Company 'K,' 22d Infantry, at the hour of dinner, and abused one of the kitchen police, throwing a plate at his head."

Specification II.—"In this: that he, Private *Robert Hilliard*, Company 'K,' 22d Infantry, while behaving in a violent and disorderly manner, in the mess hall of his company, when ordered by Corporal Hugh Curry, Company 'K,' 22d Infantry, to desist from his disorderly conduct, did refuse to obey such order, replying to the corporal in words to wit: 'You son-of-a-b——, there's a sergeant in charge of the kitchen instead of you;' thereupon the corporal attempting to enforce his orders, Private *Hilliard* jumped upon the table, and struck at him several times."

Specification III.—"In this: that when a file of the post guard, at Fort Sully, under charge of a corporal, (Albert P. Granger, Company 'K,' 22d Infantry), entered his room to arrest and confine him, he, Private *Robert Hilliard*, Company 'K,' 22d Infantry, seized a poker, and did threaten the guard with violence, saying in words to wit: 'I wont go until I get satisfaction;' that he then struck the corporal of the guard, Corporal Albert P. Granger, Company 'K,' 22d Infantry, with his fist repeatedly, inflicting severe injuries upon his face, cutting his nose and lip, and attempting to wrest his musket from him; then threw the corporal of the guard backward upon a bunk in the squad room, and continued to strike him until the other members of the guard rescued him (the corporal) by force."

Specification IV.—"In this: that he, Private *Robert Hilliard*, Company 'K,' 22d Infantry, while being conveyed to the guard-house, again attacked the corporal of the guard, (Corporal Albert P. Granger, Company 'K,' 22d Infantry,) furiously striking him in the face several times, until overpowered and knocked down. All this at Fort Sully, D. T., on the 20th day of November, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Guilty, excepting the words, 'seized a poker, and did threaten the guard with violence, saying in words to wit: 'I wont go until I get satisfaction; that he then;' also the words, 'repeatedly, inflicting severe injuries upon his face, cutting his nose and

lip, and attempting to wrest his musket from him, then threw the corporal of the guard backward upon a bunk in the squad room, and continued to strike him, until the other members of the guard rescued him (the corporal) by force.'"

To the 4th *Specification*, "Not Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty, excepting the words, 'his head,' and substitute therefor the word, 'him.'"

Of the 2d *Specification*, "Guilty, excepting the words, 'several times.'"

Of the 3d *Specification*, "Guilty, excepting the words, 'repeatedly, inflicting severe injuries upon his face, cutting his nose and lip, and attempting to wrest his musket from him;' also the words, 'and continued to strike him.'"

Of the 4th *Specification*, "Guilty, excepting the words, 'several times, until overpowered and knocked down.'"

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Robert Hilliard*, Company "K," 22d Infantry, "*To be confined at hard labor in charge of the guard, wearing a ball and chain, until the expiration of his term of service, September 6th*, 1874, *and then to be dishonorably discharged and drummed out of the service, forfeiting to the United States all pay which may hereafter become due him.*"

5th. Private *Michael Burnell*, Company "K," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification 1.—"In this: that while Corporal Hugh Curry, Company 'K,' 22d Infantry, was engaged in quelling a disturbance raised by Private Robert Hilliard in the mess hall of Company 'K,'

he, Private *Michael Burnell*, Company 'K,' 22d Infantry, did offer personal violence to and attempt to intimidate said corporal while in the execution of his office, by seizing both arms of the corporal from behind."

Specification II.—"In this: that he, Private *Michael Burnell*, Company 'K,' 22d Infantry, while holding the arms of Corporal Hugh Curry pinioned behind, and while Private Robert Hilliard was striking at him, did say to the corporal in words to wit: 'You son of b——, what have you got to say to Hilliard? if you want anything I'll give it to you, you son of a b——; I'm a citizen on pass I'll have you understand and you have nothing to do with me.'"

Specification III.—"In this: that he, Private *Michael Burnell*, Company 'K,' 22d Infantry, seeing Corporal Hugh Curry going towards the quarters of the Company Commander, shouted after him in words to wit: 'Come back here, you son of a b——.' All this at Fort Sully, D. T., on the 20th day of November, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty, excepting the words 'pinioned behind, and while Private Hilliard was striking at him.'"
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Burnell*, Company "K," 22d Infantry, "*To be confined at hard labor in charge of*

the guard, for six months, and to forfeit twelve dollars per month of his monthly pay, for ten months."

6th. Private *Luke Clougher*, Company "K," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, *Luke Clougher*, private, Company 'K,' 22d Infantry, after the Company was notified by the 1st Sergeant, (William H. Davis), that no enlisted man would be allowed to approach the Company Commander without having first obtained permission from the 1st Sergeant, did willfully disobey said order and go to the quarters of his Captain for the purpose of presenting a liquor order for his signature without having obtained the permission of his 1st Sergeant."

Specification II.—"In this: that he, *Luke Clougher*, private, Company 'K,' 22d Infantry, did feloniously attempt to pass, and obtain liquor from the post trader, on a forged order and over the forged signature of Colonel D. S. Stanley, the Post Commander, in words to wit: 'Fort Sully, D. T., November 17th, 1873: Post Trader, let bearer have one (1) bottle of brandy. D. S. Stanley, Col. 22d Infantry, com'dg post.' All this at Fort Sully, D. T., on the 17th day of November, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, Find the facts as stated, but attach no criminality thereto.
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Luke Clougher*, Company "K," 22d Infantry, *"To be confined at hard labor in charge of the guard one month, and to forfeit eleven dollars of his monthly pay per month for three months."*

II...The proceedings, findings and sentence in the foregoing case of Private *John L. Allen*, Company "A," 22d Infantry, are approved, and the sentence will be duly executed.

The proceedings in the foregoing case of Private *Henry Smith*, Company "I," 22d Infantry, are approved. The evidence in this case is insufficient to show that the injury to the animal was inflicted by the accused, or that it was inflicted with deliberate or malicious intent. The findings and sentence are disapproved. He will be released from confinement and restored to duty.

The proceedings, findings and sentence in the foregoing case of Private *John Reardon*, Company "K," 22d Infantry, are approved. So much of the sentence as relates to carrying a log, is remitted. As thus mitigated the sentence will be duly executed.

The proceedings, findings and sentences in the foregoing cases of Privates *Robert Hilliard* and *Michael Burnell*, Company "K," 22d Infantry, are approved, and the sentences will be duly executed.

In the foregoing case of Private *Luke Clougher*, Company "K," 22d Infantry, the finding upon the first specification is disapproved. The remainder of the findings and the proceedings are approved. The sentence is approved, and will be duly executed.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Leonard A. Harris*, Company "F," 7th Cavalry.
2. Private *Peter Gannon*, Company "B," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 9, 1874.

GENERAL ORDERS No. 10.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 256, series of 1873, from these Headquarters, and of which Lieutenant Colonel W. P. CARLIN, 17th Infantry, is President, were arraigned and tried:—

1st. Private *Leonard A. Harris*, Company "F," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In: that *Leonard A. Harris*, whilst an unassigned recruit 7th Cavalry, he having been properly enlisted in the service of the United States, at Cincinnati, Ohio, on the 21st day of December, 1872, did desert the same on the 19th day of March, 1873, from Headquarters 7th Cavalry, Taylor Barracks, Louisville, Ky., and did remain absent until apprehended at Cincinnati, Ohio, on 19th day of April, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Leonard A. Harris*, Company "F," 7th Cavalry, "*To forfeit to the United States all pay and allowances now due or that may become due, to be dishonorably discharged from the service of the United States, and to be confined at hard labor in such military prison as the Department Commander may designate, wearing a twenty-four (24) pound ball attached to his left leg by a chain six (6) feet long, for the period of four (4) years.*"

2d. Private *Peter Gannon*, Company "B," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In: that he, Private *Peter Gannon*, Company 'B,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Camp Sturgis, near Yankton, D. T., on the 5th day of May, 1873, and did remain absent until apprehended at Louisville, Kentucky, on the 23d day of August, 1873. Thirty (30) dollars reward paid for apprehension. This at or near the place and on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Peter Gannon*, Company "B," 7th Cavalry, "*To forfeit to the United States all pay now due or that may become due, except the just dues of the laundress, to be dishonorably discharged from the service, and to be confined at hard labor at such military prison as the Department Commander may direct, for the period of four* (4) *years.*"

II...The proceedings, findings and sentence in the foregoing case of Private *Leonard A. Harris,* Company "F," 7th Cavalry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified, the sentence will be duly executed. Fort Abraham Lincoln, D. T., is designated as the place of confinement.

The proceedings, findings and sentence in the foregoing case of Private *Peter Gannon,* Company "B," 7th Cavalry, are approved. Upon the unanimous recommendation of the members of the Court, and in consideration of the previous excellent character of the prisoner, as shown by the evidence, the sentence is remitted. He will be released from confinement and restored to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Antony Assadely*, Company "L," 7th Cavalry.
2. Private *Thomas Wilson*, Regimental Band, 20th Infantry.
3. Private *William McCauley*, Regimental Band, 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., February 13, 1874.

GENERAL ORDERS
No. 11.

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of Special Orders No. 14, current series, from these Headquarters, and of which Surgeon A. HEGER, U. S. A., is President, were arraigned and tried:—

1st. Private *Antony Assadely*, Company "L," 7th Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Antony Assadely*, Company 'L,' 7th Cavalry, did, without proper authority, take from the government stables one horse, the property of the United States, valued at one hundred and fifty dollars, ($150.00), for his own use and purpose, and while so employed did injure and abuse said horse to such an extent as to totally incapacitate it for future government service. This at Saint Paul, Minnesota, on the 25th day of December, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, excepting the words 'one hundred and fifty dollars,' and substituting therefor the words 'fifty dollars,' and except the words 'and abuse;' of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Antony Assadely*, Company "L," 7th Cavalry, "*To forfeit to the United States ten dollars* ($10.00) *of his monthly pay for six* (6) *months, and to be confined at hard labor for the period of three* (3) *months.*"

2d. Private *Thomas Wilson*, Regimental Band, 20th Infantry.

CHARGE.—"Violation of the 38th Article of War."

Specification.—"In this: that he, Private *Thomas Wilson*, Regimental Band, 20th Infantry, did sell, lose, or dispose of the following named clothing, issued to him for service as a soldier in the service of the United States, viz.: two (2) shirts, of the money value of one (1) dollar each; two (2) pairs of drawers, of the money value of sixty-seven (67) cents each; one (1) pair of boots, of the money value of four (4) dollars and twenty-nine (29) cents; and one (1) greatcoat, of the value of six (6) dollars and forty-four (44) cents. All this at Fort Snelling, Minn., between the 30th of November and 17th of December, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Thomas Wilson*, Regimental Band, 20th Infantry.

3d. Private *William McCauley*, Regimental Band, 20th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this: that Private *William McCauley*, Regimental Band, 20th Infantry, did absent himself without permission from proper authority, from on or about December 27, 1873, until on or about January 5, 1874. This at Fort Snelling, Minn., on or about the dates above specified."

CHARGE II.—"Violation of the 38th Article of War."

Specification.—"In this: that Private *William McCauley*, Regimental Band, 20th Infantry, did sell, lose, or dispose of the following named clothing, duly issued to him for service in the United States Army, viz.: one (1) pair of trousers, of the money value of three (3) dollars and forty-nine (49) cents. This at Fort Snelling, Minn., between the 15th day of November and 27th day of December, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

CHARGE II.

Of the *Specification*,	"Not Guilty."
Of the CHARGE,	"Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William McCauley*, Regimental Band, 20th Infantry, "*To forfeit to the United States twelve dollars* ($12.00) *of his monthly pay for two* (2) *months, and to be confined at hard labor, for one* (1) *month.*"

II...The proceedings and findings in the foregoing case of Private *Antony Assadely*, Company "L," 7th Cavalry, are approved. It does not appear from the evidence in this case, that the accused subjected the horse to hard treatment, and the Court acquits him of having abused the animal. The offence committed, consisted in taking and using the horse without permission, and the guilt of the accused is not aggravated by the fact that injury was sustained during such use; consequently, the damage to the horse should not affect the measure of punishment. The sentence is regarded by the reviewing authority as too severe for the offence, and is commuted to forfeiture of ten (10) dollars per month of his monthly pay, for the period of three (3) months. As thus mitigated, the sentence will be duly executed. He will be released from confinement and restored to duty.

The proceedings and findings in the foregoing case of Private *Thomas Wilson*, Regimental Band, 20th Infantry, are approved. Orders have already been issued for his release from confinement, and restoration to duty.

The proceedings, findings, and sentence in the foregoing case of Private *William McCauley*, Regimental Band, 20th Infantry, are approved, and the sentence will be duly executed.

III...The General Court Martial which convened at Fort Snelling, Minn., by virtue of Special Orders No. 14, current series, from these Headquarters, and of which Surgeon A. HEGER, U. S. A., is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

Private *Peter Wright*, Company "K," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 19, 1874.

GENERAL ORDERS
No. 12.

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of paragraph II, Special Orders No. 228, series of 1873, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, was arraigned and tried:—

Private *Peter Wright*, Company "K," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Peter Wright*, Company 'K,' 22d Infantry, a duly enlisted soldier in the service of the United States, did desert said service, on or about the 8th day of March, 1873, and did remain absent, until apprehended at or near Wisner, Neb., on or about the 13th day of March, 1873. Thirty dollars ($30.00) reward paid for his apprehension. This at Fort Randall, D. T., on or about the dates above specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Peter Wright*, Company 'K,' 22d Infantry, did take, steal, and carry away and appropriate to his own use, the following ordnance and ordnance stores, the property of the United States, and for which 1st Lieutenant M. E.

Hogan, 22d Infantry, is responsible, viz.: one (1) springfield breech loading rifled musket, model of 1868, calibre .50; twenty (20) rounds of centre primed metallic cartridges, calibre .50. This at Fort Randall, D. T., on or about the 8th day of March, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Peter Wright*, Company "K," 22d Infantry, "*To forfeit to the United States all pay and allowances now due or to become due him; to be confined at hard labor for four years, in such penitentiary as the General Commanding the Department may designate, and then to be dishonorably discharged the service of the United States.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *Peter Wright*, Company "K," 22d Infantry, are approved. In

consideration of the long confinement suffered by the prisoner prior to his trial, the term of imprisonment imposed by the sentence is commuted to three (3) years; as thus mitigated the sentence will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of confinement.

III...The General Court Martial which convened at Fort Sully, D. T., by virtue of paragraph II, Special Orders No. 228, series of 1873, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Michael Shaughnessy*, Company "A," 7th Cavalry.
2. Private *Lemuel B. Searls*, Company "G," 7th Cavalry.
3. Private *Charles Ellis*, Company "E," 7th Cavalry.
4. Private *James Davenport*, Company "A," 7th Cavalry.
5. Private *Ferdinand H. Burke*, Company "L," 7th Cavalry.
6. Private *Martin F. Hammon*, Company "E," 7th Cavalry.
7. Private *Charles Mulholland*, Company "L," 7th Cavalry.
8. Private *Edward O'Gara*, Company "G," 7th Cavalry.
9. Private *Michael Rieley*, Company "F," 7th Cavalry.
10. Private *John McDonnell*, Company "G," 7th Cavalry.
11. 1st Sergeant *Frederick Hohmeyer*, Company "E," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., February 20, 1874.

GENERAL ORDERS No. 13.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 256, series of 1873, from these Headquarters, and of which Lieutenant Colonel W. P. CARLIN, 17th Infantry, is President, were arraigned and tried:—

1st. Private *Michael Shaughnessy*, Company "A," 7th Cavalry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In: that Private *Michael Shaughnessy*, Company 'A,' 7th Cavalry, when on duty as a member of a detachment of the 7th Cavalry, detailed to escort a train of wagons through an Indian country, did become so drunk as to be unable to perform

his duty, or to ride his horse, rendering it necessary to carry him in a wagon. All this while a detachment of 7th Cavalry was on the march in Dakota Territory, on or about July 2d, 1873."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that Private *Michael Shaughnessy,* Company 'A,' 7th Cavalry, having overheard a remark of 2d Lieutenant B. H. Hodgson, 7th Cavalry, to the effect that he (Lieutenant Hodgson) would find where the whiskey came from and would straighten matters, did say in an insulting and disrespectful tone of voice, 'You will play hell on the straighten,' or words to that effect; and having been told that he was speaking to Lieutenant Hodgson, did say to Lieutenant Hodgson, 'I don't care a damn who you are, I am a buck private,' or words to that effect. This in the presence and hearing of other enlisted men, when a detachment of 7th Cavalry was on the march in Dakota Territory, on or about July 2d, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification,* "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Shaughnessy*, Company "A," 7th Cavalry, "*To forfeit to the United States twenty dollars* ($20.00) *of his pay, and to be confined at hard labor in charge of the guard, for thirty* (30) *days.*"

2d. Private *Lemuel B. Searls*, Company "G," 7th Cavalry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In: that Private *Lemuel B. Searls*, Company 'G,' 7th Cavalry, being a member of a fatigue detail, at work in the Commissary storehouse, did steal one can of salmon, of the value of twenty-five cents, public property, for which the Post Commissary is accountable, and did conceal said can in the pocket of his overcoat. This at Fort Abraham Lincoln, D. T., on or about November 11th, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Lemuel B. Searls*, Company "G," 7th Cavalry, "*To forfeit to the United States ten dollars* ($10.00) *of his monthly pay for three* (3) *months, and to be confined at hard labor under charge of the post guard, for the same period.*"

3d. Private *Charles Ellis*, Company "E," 7th Cavalry.

CHARGE I.—"Violation 44th Article of War."

Specification.—"In this: that he, Private *Charles Ellis*, Company 'E,' 7th Cavalry, being on duty with his company at evening stables, did, without leave from his Commanding Officer, leave said place of duty, and go to his quarters before he was regularly relieved from the same. This at Fort Abraham Lincoln, D. T., on or about the 5th day of January, 1874."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Private *Charles Ellis*, Company 'E,' 7th Cavalry, having been told by Corporal Spencer, Company 'E,' 7th Cavalry, that he, the said corporal, had been ordered by Lieutenant McDougall, to take him, the said Private *Charles Ellis*, to the guard-house, did reply in the following insubordinate language, 'Well! I aint going, and neither you nor any other God damned man in the troop can take me there;' at the same time abusing the said Corporal Spencer, and calling him a 'God damned son-of-a-b——.' This at Fort Abraham Lincoln, D. T., on or about January 5th, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Ellis*, Company "E," 7th Cavalry, "*To forfeit to the United States ten dollars* ($10.00) *per month of his monthly pay for the period of three* (3) *months, and to be confined at hard labor under charge of the guard, for the same period.*"

4th. Private *James Davenport*, Company "A," 7th Cavalry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification.—"In: that he, Private *James Davenport*, Company 'A,' 7th Cavalry, being a prisoner in the guard-house at cavalry barracks, Fort Abraham Lincoln, D. T., awaiting trial upon charges preferred against him, did escape from said confinement. This at Fort Abraham Lincoln, D. T., on or about the 1st day of December, 1873."

CHARGE II.—"Desertion."

Specification. "In: that he, Private *James Davenport*, Company 'A,' 7th Cavalry, being a prisoner in the guard-house at cavalry barracks, Fort Abraham Lincoln, D. T., and having escaped therefrom, did desert the service of the United States, and did remain absent until pursued, captured, and brought back by a patrol sent out for that purpose. This at Fort Abraham Lincoln, D. T., on or about the 1st day of December, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Davenport*, Company "A," 7th Cavalry, "*To forfeit to the United States ten dollars* ($10.00) *per month of his monthly pay for two months, and to be confined at hard labor under charge of the guard, for the same period.*"

5th. Private *Ferdinand H. Burke*, Company "L," 7th Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In: that Private *Ferdinand H. Burke*, Company 'L,' 7th Cavalry, did enter the stable guard-room of said company, and in a contemptuous manner, exclaim in the presence of Sergeant James Butler, Company 'L,' 7th Cavalry, 'I don't give a —— for the 1st Sergeant or the Quartermaster Sergeant of the company,' meaning his superior non-commissioned officer, Sergeant James Butler, Company 'L,' 7th Cavalry, to whom he addressed the remark."

Specification II.—"In: that Private *Ferdinand H. Burke*, Company 'L,' 7th Cavalry, did enter the stable guard-room of his company, and did say to his superior non-commissioned officer, Sergeant James Butler, Company 'L,' 7th Cavalry, 'You are the —— —— son-of-a-b——, that told Hall to whip me,' and did seize a camp-kettle full of boiling water, and dashed it over the person of the said Sergeant James Butler, while in a sitting posture, with the malicious intention of disfiguring the said sergeant."

Specification III.—"In: that Private *Ferdinand H. Burke*, Company 'L,' 7th Cavalry, when directed to go to the guard-house, did resist the efforts of the non-commissioned officer, Sergeant Augustus Rathman and blacksmith Charles Siemon, Company 'L,' 7th Cavalry, who were directed to take him in charge and convey him to the main guard-house. All this at the cavalry barracks, Fort Abraham Lincoln, D. T., December 2, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*,	"Not Guilty."
To the 2d *Specification*,	"Not Guilty."
To the 3d *Specification*,	"Not Guilty."
To the CHARGE,	"Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*,	"Guilty."
Of the 2d *Specification*,	"Guilty."
Of the 3d *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Ferdinand H. Burke*, Company "L," 7th Cavalry, "*To forfeit to the United States ten dollars* ($10.00) *per month of his monthly pay for* 12 *months, and to be confined at hard labor under charge of the guard, for the same period.*"

6th. Private *Martin F. Hammon*, Company "E," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Martin F. Hammon*, Company 'E,' 7th Cavalry, a duly enlisted soldier in the army of the United States, did desert the same at Fort Abraham Lincoln, D. T., on the evening of January 1st, 1874, and did remain absent until apprehended in the town of Bismarck, D. T., on the 4th day of January, 1874. This at or near Fort Abraham Lincoln, D. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE. "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, omitting the word 'desert,' and substituting therefor the words 'absent himself from.'"
Of the CHARGE, "Not Guilty of desertion, but 'Guilty of absence without leave.'"

SENTENCE.

And the Court does therefore sentence him, Private *Martin F. Hammon*, Company "E," 7th Cavalry, "*To forfeit to the United States ten dollars* ($10.00) *of his monthly pay per month for five* (5) *months, and to be confined at hard labor under charge of the guard, for the same period.*"

7th. Private *Charles Mulholland*, Company "L," 7th Cavalry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In: that Private *Charles Mulholland*, Company 'L,' 7th Cavalry, did enter the room set apart for the use of Private Louis

Lobering, Band, 7th Cavalry, who was acting in the capacity of company tailor, and did steal therefrom one (1) pair of trowsers, the property of Private Carl Kupsitz, Company 'L,' 7th Cavalry, left with the company tailor for the purpose of being remade; upon his, '*Mulholland's*,' leaving the tailor's shop, and when met by Private Charles Brown, Company 'L,' 7th Cavalry, did say to him, 'Say nothing about this, I will have these pants altered for myself,' and did secrete said trowsers under his bedsack until found by 1st Sergeant James Butler, Company 'L,' 7th Cavalry. All this at Fort Abraham Lincoln, D. T., on the evening of December 17, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Mulholland*, Company "L," 7th Cavalry, "*To forfeit to the United States ten dollars* ($10.00) *per month of his monthly pay for six* (6) *months, and to be confined at hard labor under charge of the guard, for the same period.*"

8th. Private *Edward O'Gara*, Company "G," 7th Cavalry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification.—"In: that he, Private *Edward O'Gara*, Company 'G,' 7th Cavalry, being a prisoner in the guard-house at Cavalry Barracks, Fort Abraham Lincoln, D. T., awaiting trial upon charges preferred against him, did escape from said confinement. This at

Fort Abraham Lincoln, D. T., on or about the 1st day of December, 1873."

CHARGE II.—"Absence without leave."

Specification.—"In: that he, Private *Edward O'Gara*, Company 'G,' 7th Cavalry, being a prisoner in the guard-house at Fort Abraham Lincoln, D. T., and having escaped therefrom, did absent himself from the service of the United States, and did remain absent until pursued, captured, and brought back by a patrol sent out for that purpose. This at Fort Abraham Lincoln, D. T., on or about the 1st day of December, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward O'Gara*, Company "G," 7th Cavalry, "*To forfeit to the United States ten dollars* ($10.00) *of his monthly pay for two* (2) *months, and to be confined at hard labor under charge of the guard, for the same period.*"

9th. Private *Michael Rieley*, Company "F," 7th Cavalry.

CHARGE—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification.—"In: that Private *Michael Rieley*, 'F' Company, 7th Cavalry, having been ordered by his Commanding Officer, Captain George W. Yates, 7th Cavalry, to perform certain police work in the company stables, did refuse to obey the order or perform the work, and did persist in refusing to obey said order although repeatedly directed to perform said work. This at cavalry barracks, Fort Abraham Lincoln, D. T., on the 24th day of December, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follow:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Rieley*, Company "F," 7th Cavalry, "*To forfeit to the United States five dollars* ($5.00) *per month of his monthly pay for three* (3) *months, and to be confined at hard labor under charge of the guard, for the same period.*"

10th. Private *John McDonnell*, Company "G," 7th Cavalry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Private *John McDonnell*, Company 'G' 7th Cavalry, hospital attendant, did, without permission from proper authority, appropriate to his own use one or more bottles

of alcohol, the property of the United States, and for which Acting Assistant Surgeon F. A. Davis, U. S. A., was responsible. This at Fort Abraham Lincoln, D. T., on or about the 5th day of January, 1874."

CHARGE II.—"Drunkenness on duty."

Specification.—"In this: that he, Private *John McDonnell*, Company 'G,' 7th Cavalry, hospital attendant, did become so much under the influence of intoxicating liquors, as to be unable to properly perform his duty as nurse. This at Fort Abraham Lincoln, D. T., on or about the 5th day of January, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John McDonnell*, Company "G," 7th Cavalry, "*To forfeit to the United States five dollars* ($5.00) *per month of his monthly pay for six* (6) *months, and to be confined at hard labor under charge of the guard, for the same period.*"

11th. 1st Sergeant *Frederick Hohmeyer*, Company "E," 7th Cavalry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, 1st Sergeant *Frederick Hohmeyer*, Company 'E,' 7th Cavalry, did, on the 9th day of December, 1873, detain or cause to be detained Private Lewis E. Hill, Company 'E,' 7th Cavalry, on daily duty at Post Headquarters, as messenger, at the company stables, thereby causing great delay in the delivery of orders, etc., knowing that Private Lewis E. Hill, Company 'E,' 7th Cavalry, was on duty at the time by order of 1st Lieutenant James Calhoun, 7th Cavalry, Post Adjutant, distributing orders and circulars relating to important public business. This at or near Fort Abraham Lincoln, D. T., on or about the date above specified."

Specification II.—"In this: that he, 1st Sergeant *Frederick Hohmeyer*, Company 'E,' 7th Cavalry, did enter the office of the Post Adjutant, at orderly call, on the 10th day of December, 1873, and did ask Sergeant Thomas Maloney, Company 'M,' 7th Cavalry, Acting Sergeant Major, Battalion 7th Cavalry, if Private Lewis E. Hill, Company 'E,' 7th Cavalry, had received orders to attend stables, &c.: When he was told that Private Hill was acting under orders received direct from the Post Adjutant, did say, 'I do not give a God damn, I don't take orders from anyone but Lieutenant McDougall,' or words to that effect. This was said in the presence of enlisted men, with a manner, look, and in a tone of voice, disrespectful towards his superior officer, 1st Lieutenant James Calhoun, 7th Cavalry, Post Adjutant. This at Fort Abraham Lincoln, D. T., on or about the 10th day of December, 1873."

CHARGE II.—"Disrespect towards his superior officer."

Specification I.—"In this: that he, 1st Sergeant *Frederick Hohmeyer*, Company 'E,' 7th Cavalry, did on the 9th day of December, 1873, detain or cause to be detained Private Lewis E. Hill, Company 'E,' 7th Cavalry, on daily duty, at post headquarters, as

messenger, at the company stables, knowing that Private Lewis E. Hill, Company 'E,' 7th Cavalry, was on duty at the time, by order of 1st Lieutenant James Calhoun, 7th Cavalry, Post Adjutant, distributing orders and circulars relating to important public business. This at or near Fort Abraham Lincoln, D. T., on or about the 9th day of December, 1873."

Specification II.—"In this: that he, 1st Sergeant *Frederick Hohmeyer*, Company 'E,' 7th Cavalry, did enter the office of the Post Adjutant, on the 10th day of December, 1873, and when told that Private Lewis E. Hill, Company 'E,' 7th Cavalry, was acting under orders received direct from the Post Adjutant, did say, 'I do not give a God damn, I don't take orders from anyone but Lieutenant McDougall,' or words to that effect. This was said in the presence of enlisted men, with a manner, look, and in a tone of voice disrespectful towards his superior officer, 1st Lieutenant James Calhoun, 7th Cavalry, Post Adjutant. This at or near Fort Abraham Lincoln, D. T., on or about the date specified."

To which charges and specifications the accused pleaded as follows:

Charge I.

To the 1st *Specification*, "Guilty, as far as, and including the words, 'company stables,' to the remainder of the specification, Not Guilty."

To the 2d *Specification*, "Guilty, as far as the words 'did say,' to the remainder of the specification, Not Guilty."

To the Charge, "Not Guilty."

Charge II.

To the 1st *Specification*, "Guilty, as far as the word 'knowing,' to the remainder of the specification, Not Guilty."

To the 2d *Specification*, "Guilty, as far as the words 'did say,' to the remainder of the specification, Not Guilty."

To the Charge, "Not Guilty."

Finding.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty, but attach no criminality thereto."

Of the 2d *Specification*, "Guilty, as far as the words 'did say,' but attach no criminality thereto, of the remainder of the specification, Not Guilty."

Of the CHARGE, "Not Guilty."

CHARGE II.

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," 1st Sergeant *Frederick Hohmeyer*, Company "E," 7th Cavalry.

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Michael Shaughnessy* and *James Davenport*, Company "A," *Charles Ellis* and *Martin F. Hammon*, Company "E," *Michael Rieley*, Company "F," *Lemuel B. Searls*, *Edward O'Gara* and *John McDonnell*, Company "G," *Ferdinand H. Burke* and *Charles Mulholland*, Company "L," 7th U. S. Cavalry, are approved, and their respective sentences will be duly executed.

The proceedings and findings in the foregoing case of 1st Sergeant *Frederick Hohmeyer*, Company "E," 7th Cavalry, are approved. Orders have already been issued for his release from arrest and restoration to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *William Dempsey*, Company "A," 17th Infantry.
2. Private *Michael Ahern*, Company "A," 17th Infantry.
3. Private *James Kelly*, Company "F," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 26, 1874.

GENERAL ORDERS }
No. 14. }

I...Before a General Court Martial which convened at Fort Abercrombie, D. T., by virtue of paragraph II, Special Orders No. 256, series of 1873, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, were arraigned and tried:—

1st. Private *William Dempsey*, Company "A," 17th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this: that *William Dempsey*, private Company 'A,' 17th Infantry, did, in direct violation of the following orders, viz.:

'HEADQUARTERS, FORT ABERCROMBIE, D. T.,
November 8th, 1873.

'GENERAL ORDERS }
No. 28. }

'All enlisted men, excepting Indian scouts, are prohibited to cross the Red River, without a written pass from the Commanding Officer, or from the Commanding Officer of their respective Company.

'BY ORDER OF COLONEL CRITTENDEN.

'(Signed,) 'H. S. HOWE,
'*1st Lieutenant, 17th Infantry,*
'*Acting Post Adjutant.*'

cross the Red River of the North without permission from proper authority. All this at Fort Abercrombie, D. T., on or about the 5th day of December, 1873."

CHARGE II.—"Absence without leave."

Specification.—"In this: that *William Dempsey*, private Company 'A,' 17th Infantry, did absent himself from his company and post without permission from proper authority, and remain absent between the hours of 12 M. and retreat roll call, December 5, 1873. All this at Fort Abercrombie, D. T., on or about the dates above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Dempsey*, Company "A," 17th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *of his monthly pay for the period of one* (1) *month. The Court is thus lenient because of the previous good character of the accused, and because he has already been confined in the guard-house for about six weeks.*"

2d. Private *Michael Ahern*, Company "A," 17th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this: that Private *Michael Ahern*, Company 'A,' 17th Infantry, did, in direct violation of the following General Orders, viz:

'HEADQUARTERS, FORT ABERCROMBIE, D. T.
November 8, 1873.

'GENERAL ORDERS No. 28.

'All enlisted men, except Indian scouts, are prohibited to cross the Red River, without a written pass from the Commanding Officer, or from the Commanding Officer of their respective Company.

'BY ORDER OF COLONEL CRITTENDEN.

'(Signed.) 'H. S. HOWE,
'*1st Lieutenant*, 17*th Infantry*,
Acting Post Adjutant.'

cross the Red River of the North, without permission from proper authority. All this at Fort Abercrombie, D. T., on or about the 31st day of December, 1873."

CHARGE II.—"Absence without leave."

Specification.—"In this: that *Michael Ahern*, private Company 'A,' 17th Infantry, did absent himself from his company and post without permission from proper authority, and did remain absent between the hours of 12 M. and 3.30 o'clock P. M., December 31st, 1873. All this at Fort Abercombie, D. T., on or about the dates above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE. "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Michael Ahern*, Company "A," 17th Infantry.

3d. Private *James Kelly*, Company "F," 17th Infantry.

CHARGE.—"Disobedience of orders."

Specification.—"In this: that Private *James Kelly*, Company 'F,' 17th Infantry, did, in direct violation of the following General Orders, viz:

'HEADQUARTERS, FORT ABERCROMBIE, D. T.,
November 8, 1873.

'GENERAL ORDERS }
No. 28. }

'All enlisted men, except Indian scouts, are prohibited to cross the Red River, without a written pass from the Commanding Officer, or from the Commanding Officer of their respective Company.

'BY ORDER OF COLONEL CRITTENDEN.

'(Signed.) H. S. HOWE.
'1*st Lieutenant*, 17*th Infantry*,
Acting Post Adjutant.'

cross the Red River, without permission from proper authority. All this at Fort Abercrombie, D. T., on or about the 31st of December, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *James Kelly*, Company "F," 17th Infantry.

II...The proceedings, findings, and sentence in the foregoing case of Private *William Dempsey*, Company "A," 17th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

The proceedings and findings in the foregoing cases of Privates *Michael Ahern*, Company "A," and *James Kelly*, Company "F," 17th Infantry, are approved. Orders have already been issued for their release from confinement and restoration to duty.

III...The General Court Martial which convened at Fort Abercrombie, D. T., by virtue of paragraph II, Special Orders No. 256, series of 1873, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *George Donie*, Company "E," 20th Infantry.
2. Private *Matthew French*, Company "D," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., March 4th, 1874.

GENERAL ORDERS No. 15.

I...Before a General Court Martial which convened at Fort Totten, D. T., by virtue of paragraph II, Special Orders No. 240, series of 1873, from these Headquarters, and of which Lieutenant Colonel L. C. HUNT, 20th Infantry, is President, were arraigned and tried:—

1st. Private *George Donie*, Company "E," 20th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *George Donie*, Company 'E,' 20th Infantry, a duly enlisted soldier in the service of the United States, did (on or about the 3d day of September, 1873,) desert said service, and did remain absent until the 8th day of September, 1873, when apprehended. This at or near Fort Totten, D. T., on or about the dates above specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *George Donie*, Company 'E,' 20th Infantry, did steal from the post stable at Fort Totten, D. T., one horse, the private property of Acting Assistant Sur-

geon James B. Ferguson, Post Surgeon. This at Fort Totten, D. T., on or about the night of the 3d of September, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE. "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Donie*, Company "E," 20th Infantry, "*To be dishonorably discharged the service of the U. S., with loss of all pay and allowances that are or may become due him, and to be confined at hard labor in such penitentiary as the proper authority may designate, for the period of three* (3) *years.*"

2d. Private *Matthew French*, Company "D," 7th Cavalry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In: that he, Private *Matthew French*, 'D' Company, 7th

Cavalry, having been detailed on fatigue in the quarters of Lieutenant J. M. Bell, 7th Cavalry, erecting stoves, &c., and while thus employed, did take, remove therefrom feloniously, and appropriate to his own use, a pocket knife, the private property of said Lieutenant J. M. Bell, 7th Cavalry. This at Fort Totten, D. T., on or about November 7th, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Matthew French*, Company "D," 7th Cavalry, "*To forfeit all pay and allowances that are or may become due; to be dishonorably discharged the service of the United States, and to be confined at such military prison as the reviewing authority may direct, for one* (1) *year.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *George Donie*, Company "E," 20th Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement, which will be considered as commencing October 8th, 1873. As thus modified the sentence will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of confinement.

The proceedings, findings, and sentence in the foregoing case of Private *Matthew French*, Company "D," 7th Cavalry, are approved. So

much of the sentence as relates to confinement is hereby remitted. The remainder of the sentence will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *William Carson*, Company "I," 7th Infantry.
2. Private *Maurice Myers*, Company "E," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 5th, 1874.

GENERAL ORDERS No. 16.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph I, Special Orders No. 228, series of 1873, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:—

1st. Private *William Carson*, Company "I," 7th Infantry.

CHARGE.—"Sleeping on post, in violation of the 46th Article of War."

Specification.—"In this: that *William Carson*, a private of Company 'I,' 7th U. S. Infantry, being a member of the post guard, and having been duly posted as a sentinel on post No. 6, in charge of the saw-mill, was found asleep on said post. This at Fort Shaw, M. T., on or about the 24th day of October, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Carson*, Company "I," 7th Infantry, "*To be confined at hard labor in charge of the guard, for six months, and to forfeit to the United States ten* (10) *dollars per month of his monthly pay, for the same period.*"

2d. Private *Maurice Myers*, Company "E," 7th Infantry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In this: that *Maurice Myers*, a private of Company 'E,' 7th U. S. Infantry, being a member of the post guard, and having been duly posted as a sentinel, did leave his post without being regularly relieved. This at Fort Shaw, M. T., on or about the 29th day of November, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Maurice Myers*, Company "E," 7th Infantry, "*To forfeit to the United States ten* (10) *dollars per month of his monthly pay for the period of eight* (8) *months, and to be confined at hard labor in charge of the post guard, for the same period.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *William Carson*, Company "I," 7th Infantry, are approved,

and the sentence will be duly executed. The term of confinement will be considered as commencing November 24th, 1873.

The proceedings, findings, and sentence in the foregoing case of Private *Maurice Myers,* Company "E," 7th Infantry, are approved, and the sentence will be duly executed. The term of confinement will be considered as commencing December 29th, 1873.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Louis Megier*, Company "F," 2d Cavalry.
2. Private *John Dobbins*, Company "H," 2d Cavalry.
3. Trumpeter *John Rodemyre*, Company "L," 2d Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 6th, 1874.

GENERAL ORDERS No. 17.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph III, Special Orders No. 252, series of 1873, from these Headquarters, and of which Major N. B. SWEITZER, 2d Cavalry, is President, were arraigned and tried:—

1st. Private *Louis Megier*, Company "F," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this: that he, *Louis Megier*, private Company 'F,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert said service while a member of the post guard, and remain absent until apprehended near Madison Bridge, M. T., and brought back under a guard, on the 22d November, 1873. This at or near Fort Ellis, M. T., on or about November 20, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Louis Megier*, Company "F," 2d Cavalry, "*To forfeit to the United States all pay and allowances that are now due or may become due, except the just dues of the laundress, and to be confined at hard labor under charge of the guard at Fort Ellis, M. T., wearing a ball weighing twelve* (12) *pounds attached to his leg by a chain five* (5) *feet long, for the period of two* (2) *years, and then to be dishonorably discharged the service.*"

2d. Private *John Dobbins*, Company "H," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *John Dobbins*, Company 'H,' 2d Cavalry, a duly enlisted soldier in the army of the United States, did desert the same at Fort Ellis, M. T., on or about the 20th day of November, 1873, and did so remain a deserter, until apprehended at or near Madison Bridge, M. T., on or about the 22d day of November, 1873."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *John Dobbins*, Company 'H,' 2d Cavalry, did take, steal, and carry away from the quarters of Company 'H,' 2d Cavalry, one citizen coat and one pair of pants, valued at $15.00, the property of Private John Schmidt, Company 'H,' 2d Cavalry. This at Fort Ellis, M. T., on or about the 20th day of November, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Dobbins*, Company "H," 2d Cavalry, "*To forfeit to the United States all pay that is now due or that may become due him, except the just dues of the laundress, and to be confined in such penitentiary as the Commanding General may direct, for the period of two (2) years, and then to be dishonorably discharged the service of the United States.*"

3d. Trumpeter *John Rodemyre*, Company "L," 2d Cavalry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In this: that he, Trumpeter *John Rodemyre*, Company 'L,' 2d Cavalry, having been duly detailed to carry the United States mail from Bozeman, M. T., to Fort Ellis, M. T., did become so drunk as to be unable to properly perform that duty. This at Fort Ellis, M. T., on or about December 15th, 1873."

CHARGE II.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Trumpeter *John Rodemyre,* Company 'L,' 2d Cavalry, having been detailed to carry the United States mail from Bozeman, M. T., to Fort Ellis, M. T., did fail to deliver the mail at the Adjutant's office, but did throw it on the steps of the quarters of 1st Lieutenant C. A. Coolidge, 7th Infantry. This at or near Fort Ellis, M. T., on or about the 15th day of December, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification,* "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification,* "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification,* "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification,* "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Trumpeter *John Rodemyre,* Company "L," 2d Cavalry, "*To be confined under charge of the post guard, at hard labor for the period of four* (4) *months, and to forfeit to the United States his monthly pay, except the just dues of the laundress, for the same period.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *Louis Megier*, Company "F," 2d Cavalry, are approved, and the sentence will be duly executed. The term of confinement will be considered as commencing December 22d, 1873.

The proceedings, findings, and sentence in the foregoing case of Private *John Dobbins*, Company "H," 2d Cavalry, are approved, and the sentence will be duly executed. The term of confinement will be considered as commencing December 22d, 1873. The Minnesota State Prison at Stillwater, Minn., is designated as the place of confinement.

The proceedings, findings, and sentence in the foregoing case of Trumpeter *John Rodemyre*, Company "L," 2d Cavalry, are approved, and the sentence will be duly executed. The term of confinement will be considered as commencing January 15th, 1874.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Mat. Davenport*, Company "K," 7th Cavalry.
2. Private *Dudley Saelet*, Company "K," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., March 7th, 1874.

GENERAL ORDERS No. 18.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 2, current series, from these Headquarters, and of which Major J. G. TILFORD, 7th Cavalry, is President, were arraigned and tried:—

1st. Private *Mat. Davenport*, Company "K," 7th Cavalry.

CHARGE I.—"Violation of the 38th Article of War."

Specification.—"In: that Private *Mat. Davenport*, Company 'K,' 7th Cavalry, did lose, sell, or otherwise unlawfully dispose of, or permit the same to be done, one carbine, the property of the United States, and for which Captain Owen Hale, 7th Cavalry, is responsible. This at Fort Rice, D. T., on or about the 25th day of November, 1873."

CHARGE II.—"Violation of the 45th Article of War."

Specification.—"In: that Private *Mat. Davenport*, Company 'K,' 7th Cavalry, being on duty as a member of the stable guard, was drunk. This at Fort Rice, D. T., on or about November 25th, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Mat. Davenport*, Company "K," 7th Cavalry, "*To forfeit to the United States one dollar fifty-six and one-fourth cents* ($1.56¼) *of his weekly pay, until he shall reimburse to the United States the amount of fifty dollars* ($50.00), *the price of one* (1) *carbine, and to be confined at hard labor in charge of the guard at the post where he may be serving, for the period of four* (4) *months.*"

2d. Private *Dudley Saelet*, Company "K," 7th Cavalry.

CHARGE I.—"Violation of the 38th Article of War."

Specification.—"In: that Private *Dudley Saelet*, Company 'K,' 7th Cavalry, did lose, sell, or otherwise unlawfully dispose of three carbines, the property of the United States, and for which Captain Owen Hale, 7th Cavalry, is responsible. This at Fort Rice, D. T., on or about the 25th of November, 1873."

CHARGE II.—"Violation of the 45th Article of War."

Specification.—"In: that Private *Dudley Saclet*, Company 'K,' 7th Cavalry, being on duty as a member of the stable guard, was drunk. This at Fort Rice, D. T., on or about the 25th of November, 1873."

CHARGE III.—"Violation of the 50th Article of War."

Specification.—"In: that Private *Dudley Saclet*, Company 'K,' 7th Cavalry, without urgent necessity or leave of his superior officer, did quit his stable guard. This at Fort Rice, D. T., on or about the 25th day of November, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE III.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, except the word 'three (3),' substituting therefor the word 'two (2),' and of the substituted word, Guilty."
Of the CHARGE, "Guilty."

CHARGE. II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Dudley Saclet*, Company "K," 7th Cavalry, "*To forfeit to the United States one dollar, fifty-six and one-fourth cents* ($1.56¼) *of his weekly pay, until he shall re-imburse to the United States the amount of one hundred dollars* ($100.00) *the price of two* (2) *carbines, and to be confined at hard labor in the charge of the guard at the post where he may be serving, for the period of eight* (8) *months.*"

II...The proceedings in the foregoing case of Private *Mat. Davenport*, Company "K," 7th Cavalry, are approved. The evidence in this case fails to support the first charge and its specification, and the findings upon that charge and specification are therefore disapproved. The remaining findings are approved. The sentence is commuted to confinement at hard labor in charge of guard, for one (1) month. As thus mitigated the sentence will be duly executed.

The proceedings, findings, and sentence in the foregoing case of Private *Dudley Saclet*, Company "K," 7th Cavalry, are approved, and the sentence will be duly executed. The term of confinement will be considered as commencing December 25th, 1873.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

HEADQUARTERS DEPARTMENT OF DAKOTA,

St. Paul, Minn., March 16, 1874.

GENERAL ORDERS, No. 19.

In accordance with authority from the War Department, Adjutant General's office, Lieutenant-Colonel *E. S. Otis*, 22d Infantry, is hereby announced as Acting Assistant Inspector General of the Department. He will be obeyed and respected accordingly.

BY COMMAND OF BRIGADIER GENERAL TERRY

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *David Smith*, Company "F," 22d Infantry.
2. Private *Robert Adams*, Company "H," 22d Infantry.
3. Commissary Sergeant *William Roberts*, U. S. Army.
4. Private *Hugh Smith*, Company "H," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 17th, 1874.

GENERAL ORDERS No. 20.

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of Special Orders No. 18, current series, from these Headquarters, and of which Captain C. A. WEBB, 22d Infantry, is President, were arraigned and tried:—

1st. Private *David Smith*, Company "F," 22d Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, *David Smith*, private 'F' Company, 22d Infantry, did appear at the inspection of his company, under arms, in a drunken and filthy condition. This at Fort Randall, D. T., on or about the 11th day of January, 1874."

CHARGE II.—"Violation of the 42d Article of War."

Specification.—"In this: that he, the said *David Smith*, private Company 'F,' 22d Infantry, did lie out of his quarters without leave from his superior officer, during the nights of January 10th and 11th, 1874. This at Fort Randall, D. T., or or about the 10th and 11th days of January, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *David Smith*, Company "F," 22d Infantry, "*To be confined under charge of the guard for thirty* (30) *days, and to forfeit to the United States ten dollars* ($10.00) *of his monthly pay, for one month.*"

2d. Private *Robert Adams*, Company "H," 22d Infantry.

CHARGE I.—"Violation of the 9th Article of War."

Specification.—"In this: that he, *Robert Adams*, a duly enlisted soldier in the service of the United States, and private of 'H' Company, 22d Infantry, did knowingly disobey a written order, issued from the Headquarters of the post of Fort Randall, D. T., and duly published to the company of which he is a member, by absenting himself from his post and company, and crossing the Missouri River to the reservation of the Yankton Sioux Indians,

without receiving any permission whatever; which action on his part was in direct violation of the above mentioned order; said order being in the words following, to wit:

'HEADQUARTERS, FORT RANDALL, D. T.,
January 21, 1873.

'GENERAL ORDERS }
No. 1. }

'Because of the constant complaint of the Yankton Indians, living on the opposite side of the river near White Swan, D. T., regarding the continued misconduct of enlisted men of this garrison who visit their lodges and dwellings, Company Commanders are forbidden to grant to members of their respective companies, permission to cross to the opposite side of the river; and the action of any enlisted man who without permission from proper authority visits any locality upon the Yankton Indians' reservation, or any point above the same, will be considered in direct violation of existing orders of the post.

'BY COMMAND OF LIEUTENANT COLONEL E. S. OTIS.

'(Signed,) O. M. SMITH,
'*2d Lieutenant, 22d Infantry,*
Post Adjutant.'

This at Fort Randall, D. T., on or about the 1st day of January, 1874."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, *Robert Adams*, a duly enlisted soldier in the service of the United States, and a private in 'H' Company, 22d Infantry, did introduce upon the Indian reservation of the Yankton Sioux Indians, a quantity of spirituous liquor, to wit: about one and a half gallons, be the same more or less, much to the prejudice of good order and military discipline of the military service, and in direct violation of an Act of Congress, entitled, 'An Act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontier,' approved June 30, 1834, and amended by additional Acts of Congress, approved March 3d, 1847. This upon the Indian reservation of the Yankton Sioux Indians, and at or near White Swan, D. T., on or about the 1st of January, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Robert Adams*, Company "H," 22d Infantry, "*To forfeit all pay and allowances now due or to become due; to be confined in such penitentiary as may be designated by the Department Commander, for the period of eighteen* (18) *months, and then to be dishonorably discharged the service of the United States.*"

3d. Commissary Sergeant *William Roberts*, U. S. Army.

CHARGE.—"Drunkenness on duty, in violation of the 45th Article of War."

Specification 1.—"In this: that he, Commissary Sergeant *William Roberts*, U. S. Army, did become drunk and unable to perform his duty as Commissary Sergeant. This at or near the military station of

Lower Brulé Agency, D. T., on or about the 18th day of November, 1873."

Specification II.—"In this: that he, Commissary Sergeant *William Roberts*, U. S. Army, did become drunk and unable to perform his duty as Commissary Sergeant. This at or near the military station of Lower Brulé Agency, D. T., on or about the 27th day of November, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, Special plea of the accused in bar of trial, sustained by the Court.
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Commissary Sergeant *William Roberts*, U. S. Army.

4th. Private *Hugh Smith*, Company "H," 22d Infantry.

CHARGE I.—"Violation of the 9th Article of War."

Specification.—"In this: that he, *Hugh Smith*, a duly enlisted soldier in the service of the United States, and private of 'H' Company, 22d Infantry, did knowingly disobey a written order, issued from the Headquarters of the post of Fort Randall, D. T., and duly published to the company of which he is a member, by absenting himself from his post and company, and crossing the Missouri River to the reservation of the Yankton Sioux Indians, without receiving any permission whatever; which action on his part, was in direct violation of the above mentioned order; said order being in the words following, to wit:

'HEADQUARTERS, FORT RANDALL, D. T.,
January 21, 1874.

'GENERAL ORDERS
No. 1.

'Because of the constant complaint of the Yankton Indians living on the opposite side of the river, near White Swan, D. T., regarding the continued misconduct of enlisted men of this garrison, who visit their lodges and dwellings, Company Commanders are forbidden to grant to members of their respective companies permission to cross to the opposite side of the river; and the action of any enlisted man who without permission from proper authority visits any locality upon the Yankton Indian reservation, or any point above the same, will be considered in direct violation of existing orders of the post.

'BY COMMAND OF LIEUTENANT COLONEL E. S. OTIS.

'(Signed,) 'O. M. SMITH,
'*2d Lieutenant, 22d Infantry,*
Post Adjutant.'

This at Fort Randall D. T., on or about the first day of January, 1874."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, *Hugh Smith,* a duly enlisted soldier in the service of the United States, and a private of 'H' Company, 22d Infantry, did introduce upon the Indian reservation of the Yankton Sioux Indians, a quantity of spirituous liquor, to wit: about one and a half gallons, be the same more or less, much to the prejudice of good order and military discipline of the military service, and in direct violation of an Act of Congress, entitled, 'An Act to regulate trade and intercourse with Indian tribes, and to preserve peace on the frontier,' approved June 30th, 1834, and amended by additional Act of Congress, approved March 3d, 1847. This upon the Indian reservation of the Yankton Sioux Indians, and at or near White Swan, D. T., on or about the 1st of January, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Hugh Smith*, Company "H," 22d Infantry, "*To forfeit all pay and allowances now due or to become due him; to be confined in such military prison as the Department Commander may direct, for the period of eighteen* (18) *months, and then to be dishonorably discharged the service of the United States.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *David Smith*, Company "F," 22d Infantry, are approved. In consideration of the length of time he has been in confinement, so much of the sentence as requires him to be confined under charge of the guard, is remitted. As thus mitigated the sentence will be duly executed. He will be released from confinement and restored to duty.

In the foregoing cases of Privates *Robert Adams* and *Hugh Smith*, Company "H," 22d Infantry, the proceedings and findings, except under the second charges and their specifications, are approved. The Act

of Congress on which the disapproved pleadings are based, confers sole jurisdiction for violation of its provisions, upon the civil courts of the United States. So much of the sentences only, as adjudges forfeiture of all pay and allowances, is approved, and is mitigated to a forfeiture of ten dollars ($10.00) per month of their monthly pay, for the period of three (3) months; as thus mitigated the sentences will be duly executed. They will be released from confinement and restored to duty.

The proceedings and findings in the foregoing case of Commissary Sergeant *William Roberts*, U. S. Army, are approved. Orders have already been issued for his release from arrest and restoration to duty.

III...The General Court Martial which convened at Fort Randall, D. T., by virtue of Special Orders No. 18, current series, from these Headquarters, and of which Captain C. A. Webb, 22d Infantry, is President, is hereby dissolved.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

HEADQUARTERS DEPARTMENT OF DAKOTA,

St. Paul, Minn., March 20, 1874.

GENERAL ORDERS, No. 21.

The Secretary of War having fixed the increased allowance of fuel to be issued at Military posts exposed to extreme colds, General Orders No. 73, series of 1872, from these headquarters, is hereby revoked, and issues of such increased allowance will be made in accordance with General Orders No. 18, current series, War Department, Adjutant General's Office.

BY COMMAND OF BRIGADIER GENERAL TERRY,

O. D. GREENE,

Assistant Adjutant General

OFFICIAL:

Captain 3d Infantry, A. D. C

G. C. M.

1. Private *William T. Peel*, Company "D," 7th Cavalry.
2. Private *William H. Gambell*, Company "D," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 26th, 1874.

GENERAL ORDERS No. 22.

I...Before a General Court Martial which convened at Fort Pembina, D. T., by virtue of Special Orders No. 16, current series, from these Headquarters, and of which Major J. E. YARD, 20th Infantry, is President, were arraigned and tried:—

1st. Private *William T. Peel*, Company "D," 7th Cavalry.

CHARGE I.—"Desertion."

Specification.—"In: that *William T. Peel*, private, Company 'D,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same on the night of the 30th day of June, 1873, and did remain absent until apprehended by a party sent in pursuit, on the morning of the 1st day of July, 1873. This in the vicinity of Fort Pembina, D. T."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In: that *William T. Peel*, private, Company 'D,' 7th Cavalry, did steal and carry away, with intent to appropriate to his own use, the following ordnance and ordnance stores, the property of the United States, and for which Captain T. B. Weir, 7th Cavalry, is responsible, to wit: one Sharp's improved carbine.

cal. .50, valued at $50.00; one Remington pistol, valued at $50.00; one sabre belt and plate, valued at $1.86; one carbine cartridge pouch (Dyer's), valued at $3.35; one pistol cartridge box, valued at 60 cents; one pistol belt holster, valued at 90 cents; and one thousand six hundred and eighty rounds of carbine cartridges. All this at Fort Pembina, D. T., on or about the night of the 30th day of June, and the morning of the 1st day of July, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William T. Peel*, Company "D," 7th Cavalry, "*To be dishonorably discharged the service of the U. S., with forfeiture of all pay and allowances now due or which may become due, and then to be confined at hard labor in such penitentiary as the Commanding General may direct, for the period of three* (3) *years.*"

2d. Private *William H. Gambell*, Company "D," 7th Cavalry.

CHARGE I.—"Desertion."

Specification.—"In: that *William H. Gambell*, private, Company 'D,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same on the night of the 30th day of June, 1873, and did remain absent until apprehended by a party sent in pursuit, on the morning of the 1st day of July, 1873. All this in the vicinity of Fort Pembina, D. T."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In: that *William H. Gambell*, private, Company 'D,' 7th Cavalry, did steal and carry away, with intent to appropriate to his own use, the following ordnance and ordnance stores, the property of the United States, and for which Captain T. B. Weir, 7th Cavalry, is responsible, to wit: one Sharp's improved carbine, cal. .50, valued at $50.00; one Remington pistol, valued at $50.00; one sabre belt and plate, valued at $1.86; one carbine cartridge pouch (Dyer's), valued at $3.35; one pistol cartridge box, valued at 60 cents; one pistol belt holster, valued at 90 cents; and one thousand six hundred and eighty rounds of carbine cartridges. All this at Fort Pembina, D. T., on or about the night of the 30th day of June, 1873, and the morning of the 1st day of July, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William H. Gambell*, Company "D," 7th Cavalry, "*To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or which may become due, and then to be confined at hard labor in such penitentiary as the Commanding General may direct, for the period of three (3) years.*"

II...The proceedings, findings, and sentences in the foregoing cases of Privates *William T. Peel* and *William H. Gambell*, Company "D," 7th Cavalry, are approved. In consideration of the long confinement suffered by the prisoners prior to their trial, the term of imprisonment imposed by the sentence in each case is mitigated to two (2) years; as thus mitigated the sentences will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of confinement.

III...The General Court Martial which convened at Fort Pembina, D. T., by virtue of Special Orders No. 16, current series, from these Headquarters, and of which Major J. E. YARD, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Hospital Steward *Lewis Howell*, U. S. Army.
2. Private *Thomas McCarthy*, Company "I," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., March 27th, 1874.

GENERAL ORDERS No. 23.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of paragraph I, Special Orders No. 228, series of 1873, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:—

1st. Hospital Steward *Lewis Howell*, U. S. Army.

CHARGE.—"Violation of Section 1, Chapter 67, of the Act of Congress, approved March 2d, 1863."

Specification.—"In this: that he, *Lewis Howell*, Hospital Steward, U. S. A., being on duty as hospital steward in the post hospital at Fort Shaw, Montana Territory, did embezzle and knowingly and willfully misappropriate and apply to his own use and benefit, the following named hospital stores, viz.: Sixteen hundred and seventy-four (1,674) ounces of brandy; twenty-two hundred and sixty (2,260) ounces of whisky; twenty hundred and eighty (2,080) ounces of wine; seventeen hundred and twenty-five (1,725) ounces of alcohol; eight (8) pounds of tea; which said stores were the property of the United States, and furnished by the government to be used in the military service of the United States; and were

of the value of three hundred and twenty (320) dollars, more or less. This at Fort Shaw; M. T., between June 24th and December 22d, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words and figures 'seventeen hundred and twenty-five (1,725) ounces of alcohol;' substituting therefor the words 'sixteen hundred and forty-five ounces of alcohol;' and excepting the words and figures 'twenty hundred and eighty (2,080) ounces of wine;' and substituting the words 'nineteen hundred and twenty ounces of wine' therefor; and of the excepted words, 'Not Guilty;' and of the words substituted, Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Lewis Howell*, Hospital Steward, U. S. Army, "*To be dishonorably discharged from the service of the United States; to refund to the United States the money value of the stores misappropriated, and to be confined in such penitentiary as the Department Commander shall designate, until this amount is paid, provided the time does not exceed one* (1) *year.*"

2d. Private *Thomas McCarthy*, Company "I," 7th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, *Thomas McCarthy*, private of Company 'I,' 7th Infantry, did feloniously steal, take and carry away and appropriate to his own use, a portion of an ambulance har-

ness, the property of the United States, of the value of ten (10) dollars, more or less; for which 1st Lieutenant J. W. Jacobs, R. Q. M., 7th Infantry, and Post Quartermaster, is responsible. This at Fort Shaw, M. T., on or about the 24th day of October, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas McCarthy*, Company "I," 7th Infantry, "*To be confined at hard labor in charge of the guard, until June 16th, 1874—the expiration of his term of enlistment—forfeiting to the United States ten dollars per month of his monthly pay during such period, and then to be dishonorably discharged from the United States service.*"

II...The proceedings, findings, and sentence in the foregoing case of Hospital Steward *Lewis Howell*, U. S. Army, are approved, and the sentence will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of confinement.

The proceedings, findings, and sentence in the foregoing case of Private *Thomas McCarthy*, Company "I," 7th Infantry, are approved. In view of the length of time the prisoner has been in confinement, the sentence is remitted. He will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Shaw,

M. T., by virtue of paragraph I, Special Orders No. 228, series of 1873, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Martin Dwyer*, Company "A," 7th Infantry.
2. Private *Joseph W. Davis*, Company "H," 2d Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 28th, 1874.

GENERAL ORDERS No. 24.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph III, Special Orders No. 252, series of 1873, from these Headquarters, and of which Major N. B. SWEITZER, 2d Cavalry, is President, were arraigned and tried:—

1st. Private *Martin Dwyer*, Company "A," 7th Infantry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In this: that he, Private *Martin Dwyer*, Company 'A,' 7th Infantry, a member of the post guard, after having been duly posted, did leave his post before he was regularly relieved, and visit the sutler store. All this at Fort Ellis, M. T., January 1st, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words 'visit the sutler store,' but attach no criminality thereto; of the excepted words 'Not Guilty.'"

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Martin Dwyer*, Company "A," 7th Infantry.

2d. Private *Joseph W. Davis*, Company "H," 2d Cavalry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Joseph W. Davis*, Company 'H,' 2d Cavalry, did feloniously take, steal and carry away from the company quarters, and appropriate to his own use, one (1) blanket and two (2) shirts, the property of Private Robert A. Bowers, Company 'H,' 2d Cavalry, of the value of $5.00, more or less. All this at Fort Ellis, M. T., on or about the 29th day of December, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words 'feloniously,' and 'steal,' and of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty, but Guilty of 'conduct prejudicial to good order and military discipline.'"

SENTENCE.

And the Court does therefore sentence him, Private *Joseph W. Davis*, Company "H," 2d Cavalry, "*To be confined at hard labor under charge of the guard, for the period of three* (3) *months*."

II...The proceedings and findings in the foregoing case of Private *Martin Dwyer*, Company "A," 7th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Joseph W. Davis*, Company "H," 2d Cavalry, are approved. In view of the length of time the prisoner has been in confinement, the sentence is remitted. He will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph III, Special Orders No. 252, series of 1873, from these Headquarters, and of which Major N. B. SWEITZER, 2d Cavalry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Corporal *William Lawless*, Company "G," 7th Cavalry.
2. Private *John M. Curliss*, Company "A," 6th Infantry.
3. Private *Michael Bryant*, Company "A," 7th Cavalry.
4. Private *James Devenport*, Company "A," 7th Cavalry.
5. 1st Sergeant *Gustav Klein*, Company "F," 7th Cavalry.
6. Private *James S. Duggan*, Company "B," 6th Infantry.
7. Private *Thomas Whalen*, Company "B," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 31, 1874.

GENERAL ORDERS No. 25.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 256, series of 1873, from these Headquarters, and of which Lieutenant Colonel W. P. CARLIN, 17th Infantry, is President, were arraigned and tried:—

1st. Corporal *William Lawless*, Company "G," 7th Cavalry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Corporal *William Lawless*, Company 'G,' 7th Cavalry, did take, steal, and carry away, and unlawfully appropriate to his own use, from a tent occupied by Chief Trumpeter Peter Wilson, 7th Cavalry, six (6) woolen blankets, ten (10) new white linen shirts, and other clothing, valued at $50.00,

the property of said Chief Trumpeter Peter Wilson, 7th Cavalry. This at Fort Abraham Lincoln, D. T., on or about the 20th day of November, 1873."

Specification II.—"In this: that he, Corporal *William Lawless*, Company 'G,' 7th Cavalry, did take, steal, and carry away, and unlawfully appropriate to his own use, from a tent occupied by Chief Trumpeter Peter Wilson, 7th Cavalry, one (1) gold breastpin, and one (1) set gold sleeve buttons and studs, valued at $90.00, the property of said Chief Trumpeter Peter Wilson, 7th Cavalry. This at Fort Abraham Lincoln, D. T., on or about the 20th day of November, 1873."

Specification III.—"In this: that he, Corporal *William Lawless*, Company 'G,' 7th Cavalry, did take, steal, and unlawfully appropriate to his own use, from the tent occupied by Chief Trumpeter Peter Wilson, 7th Cavalry, certain clothing, &c., the private property of Chief Trumpeter Peter Wilson, valued at fifty dollars ($50.00), and did conceal, or cause to be concealed in a box belonging to him the said Corporal *William Lawless*, one (1) pocket-handkerchief, marked Peter Wilson, and 'my love for you,' the property of Chief Trumpeter Peter Wilson. This at Fort Abraham Lincoln, D. T., on or about the 22d day of November, 1873."

Specification IV.—"In this: that he, Corporal *William Lawless*, Company 'G,' 7th Cavalry, did take, steal, and carry away, from the tent of Chief Trumpeter Peter Wilson, 7th Cavalry, and unlawfully appropriate to his own use, six (6) woolen blankets, the property of said Chief Trumpeter Peter Wilson, 7th Cavalry, and did offer them for sale to two citizens, named Charles Brush and Charles Caldwell. This in the store of the post trader at Fort Abraham Lincoln, D. T., on or about the 21st day of November, 1873. All this at the post of Fort Abraham Lincoln, D. T., on or about the dates above specified."

ADDITIONAL CHARGE—"Receiving stolen property."

Specification.—"In this: that he, Corporal *William Lawless*, Company

'G,' 7th Cavalry, did, on or about the 20th day of November, 1873, feloniously receive and keep possession of various articles of stolen property, belonging to Chief Trumpeter Peter Wilson, 7th Cavalry, with the view of appropriating the same to his own use and benefit. This at Fort Abraham Lincoln, D. T., on or about the date specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

ADDITIONAL CHARGE.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the 3d *Specification*, "Not Guilty."
Of the 4th *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

ADDITIONAL CHARGE.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Corporal *William Lawless*, Company "G," 7th Cavalry.

2d. Private *John M. Curliss*, Company "A," 6th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *John M. Curliss*, Company 'A,' 6th Infantry, having been ordered by 1st Sergeant Harry Hudson, Company 'A,' 6th Infantry, to the guard-house, did fail to obey said order, until carried forcibly to the same. This at Fort Abraham Lincoln, D. T., on or about November 20th, 1873."

Specification II.—"In this: that he, Private *John M. Curliss*, Company 'A,' 6th Infantry, did use insulting and abusive language to 1st Sergeant Harry Hudson, Company 'A,' 6th Infantry, using the following words, to wit: 'You are a damn son-of-a-b——, and I will get square with you,' or words to that effect. This at Fort Abraham Lincoln, D. T., on or about November 20th, 1873."

Specification III.—"In this: that he, Private *John M. Curliss*, Company 'A,' 6th Infantry, while being carried to the guard-house by 1st Sergeant Harry Hudson, Privates Studer and Duff, Company 'A,' 6th Infantry, did kick 1st Sergeant Harry Hudson twice, severely in the stomach. This at Fort Abraham Lincoln, D. T., November 20th, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the 3d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John M. Curliss*, Company "A," 6th Infantry, "*To forfeit to the U. S. ten dollars* ($10.00) *of his monthly pay per month, for three* (3) *months.*"

3d. Private *Michael Bryant*, Company "A," 7th Cavalry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Michael Bryant*, Company 'A,' 7th Cavalry, being disorderly in the mess-room of his troop, did, when ordered to be confined by 1st Sergeant James Young, Company 'A,' 7th Cavalry, resist and strike the said 1st Sergeant Young, using the following words, to wit: 'You bastard son-of-a-b——,' meaning the aforesaid 1st Sergeant Young; Sergeant Young being at the time in the lawful execution of his office. All this at Elizabethtown, Ky., on or about the 23d day of February, 1873."

Specification II.—"In this: that Private *Michael Bryant*, Company 'A,' 7th Cavalry, being disorderly in the mess-room of his company, did, when ordered by 1st Sergeant James Young, Company 'A,' 7th Cavalry, to be confined, resist, break away, and escape from the non-commissioned officer who was ordered to confine him. All this at Elizabethtown, Ky., on or about the 23d of February, 1873."

CHARGE II.—"Absence without leave."

Specification.—"In this: that Private *Michael Bryant*, Company 'A,' 7th Cavalry, did absent himself from his troop and post, without proper authority, on the 23d day of February, 1873, and did remain absent until apprehended and brought back by a guard

sent in pursuit of him on the same day. All this at Elizabethtown, Ky., on or about the 23d day of February, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Bryant*, Company "A," 7th Cavalry, "*To forfeit to the United States ten dollars of his monthly pay per month, for the period of three months.*"

4th. Private *James Devenport*, Company "A," 7th Cavalry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that Private *James Devenport*, Company 'A,' 7th Cavalry, did assault Private Edward King, Company 'A,' 7th Cavalry, in the quarters of his company, by choking him with his hand, and did cock and point a loaded revolver at said King, threatening at the same time to kill him, thereby endangering the lives of several other men in the company quarters at the time. This at the Cavalry Barracks, Fort Abraham Lincoln, D. T., on or about the 18th of November, 1873."

CHARGE II.—"Absence without leave."

Specification I.—"In: that Private *James Devenport*, Company 'A,' 7th Cavalry, did absent himself from afternoon stables of his company, on the 18th of November, 1873, without proper authority from his Commanding Officer. This at Cavalry Barracks, Fort Abraham Lincoln, D. T., on the 18th of November, 1873."

Specification II.—"In: that Private *James Devenport*, Company 'A,' 7th Cavalry, was absent from tattoo roll-call on the night of the 18th, and from reveille roll-call on the 19th of November, 1873, without authority from his Commanding Officer. This at Cavalry Barracks, Fort Abraham Lincoln, D. T., on or about the date above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*,	"Not Guilty."
Of the CHARGE,	"Not Guilty."

CHARGE II.

Of the 1st *Specification*,	"Guilty."
Of the 2d *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Devenport*, Company "A," 7th Cavalry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay, for one month.*"

5th. 1st Sergeant *Gustav Klein*, Company "F," 7th Cavalry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that 1st Sergeant *Gustav Klein*, 'F' Company, 7th Cavalry, did take from the company stables four public horses, for which Captain George W. Yates is responsible, without proper authority. This at Fort Abraham Lincoln, D. T., on the 8th day of February, 1874."

CHARGE II.—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification.—"In: that 1st Sergeant *Gustav Klein*, 'F' Company, 7th Cavalry, having been ordered by his Company Commander, Captain George W. Yates, 7th Cavalry, to unharness and return to the company stables four public horses, for which Captain George W. Yates is responsible, and which he, the said Sergeant *Klein* had hitched to a sleigh, did fail to obey the said order and did drive away from the company stables with the said four horses, in willful disobedience to the said order. This at Fort Abraham Lincoln, D. T., on the 8th day of February, 1874."

CHARGE III.—"Drunkenness, to the prejudice of good order and military discipline."

Specification.—"In: that 1st Sergeant *Gustav Klein*, 'F' Company, 7th Cavalry, was so much under the influence of liquor during afternoon stables of his company, as to be incapable of properly performing his duty. This at Fort Abraham Lincoln, D. T., on the 8th day of February, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, 1st Sergeant *Gustav Klein*, Company "F," 7th Cavalry, "*To be reduced to the rank of a private soldier, and to forfeit to the United States ten* (10) *dollars of his monthly pay per month, for five* (5) *months.*"

6th. Private *James S. Duggan*, Company "B," 6th Infantry.

CHARGE.—"Absence without leave."

Specification.—"In this: that he, Private *James S. Duggan*, Company 'B,' 6th Infantry, did absent himself from his company and post, without proper authority, from January 26th, 1874, until January 30th, 1874. All this at Fort Abraham Lincoln, D. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James S. Duggan*, Company "B," 6th Infantry, "*To forfeit to the United States ten* (10) *dollars per month of his monthly pay, for two months.*"

7th. Private *Thomas Whalen*, Company "B," 6th Infantry.

CHARGE.—"Neglect of duty."

Specification.—"In this: that he, Private *Thomas Whalen*, Company 'B,' 6th Infantry, having been regularly detailed as room police in

the quarters of his company, did absent himself from his quarters and company, from 9 o'clock A. M., January 30th, 1874, until the afternoon of January 30th, 1874, thereby neglecting his duty. All this at Fort Abraham Lincoln, D. T., on or about the time and date above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Whalen*, Company "B," 6th Infantry, "*To forfeit to the United States eight* (8) *dollars of his monthly pay, for one month.*"

II...The proceedings and findings in the foregoing case of Corporal *William Lawless*, Company "G," 7th Cavalry, are approved. Orders have already been issued for his release from arrest and restoration to duty.

The proceedings, findings, and sentence in the foregoing case of Private *John M. Curliss*, Company "A," 6th Infantry, are approved. Upon the recommendation of the Court the sentence is remitted. He will be released from confinement and restored to duty.

The proceedings, findings, and sentences in the foregoing cases of Privates *Michael Bryant* and *James Devenport*, Company "A," 7th Cavalry, and *James S. Duggan* and *Thomas Whalen*, Company "B," 6th Infantry, are approved, and the sentences will be duly executed. They will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the foregoing case of 1st

Sergeant *Gustav Klein*, Company "F," 7th Cavalry, are approved. In view of the recommendation of the Court, so much of the sentence as relates to forfeiture of pay, is remitted. As thus mitigated the sentence will be duly executed. He will be released from arrest and restored to duty as a private.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Harvey A. Fox*, Company "D," 7th Cavalry.
2. Private *David C. Dawsey*, Company "D," 7th Cavalry.
3. Private *Peter Stevenson*, Company "D," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., April 18th, 1874.

GENERAL ORDERS No. 26.

I...Before a General Court Martial which convened at Fort Totten, D. T., by virtue of paragraph II, Special Orders No. 240, series of 1873, from these Headquarters, and of which Lieutenant Colonel L. C. HUNT, 20th Infantry, is President, were arraigned and tried:—

1st. Private *Harvey A. Fox*, Company "D," 7th Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Harvey A. Fox*, 'D' Company, 7th Cavalry, did, while on detached service as teamster in Quartermaster's Department at Fort Seward, D. T., visit, in company with several other soldiers, the town of Jamestown, D. T., and while there did engage in a drunken brawl, or fight, and did fire one or more shots from a pistol; in which brawl, or fight, Private Frank Donohue, 'D' Company, 7th Cavalry, was severely wounded, and the lives of the citizens of the place put in jeopardy. All this at Jamestown, D. T., on or about November 13th, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Harvey A. Fox*, Company "D," 7th Cavalry.

2d. Private *David C. Dawsey*, Company "D," 7th Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this; that he, Private *David C. Dawsey*, 'D' Company, 7th Cavalry, did, while on detached service as teamster in Quartermaster's Department, at Fort Seward, D. T., visit, in company with several other soldiers, the town of Jamestown, D. T., and while there did engage in a drunken brawl, or fight, and did fire one or more shots from a pistol; in which brawl, or fight, Private Frank Donohue, 'D' Company, 7th Cavalry, was severely wounded, and the lives of the citizens of the place put in jeopardy. All this at Jamestown, D. T., on or about November 13th, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, with the exception of the words, 'and did fire one or more shots from a pistol;' and to the excepted words, Not Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty, with the exception of the words, 'and did fire one or more shots from a pistol;' and of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *David C. Dawsey*, Company "D," 7th Cavalry, "*To forfeit to the U. S. ten* (10) *dollars of his monthly pay, for three* (3) *months. The Court is thus lenient on account of the long time which the prisoner has been confined in the post guard-house.*"

3d. Private *Peter Stevenson*, Company "D," 7th Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification—"In this; that he, Private *Peter Stevenson*, 'D' Company, 7th Cavalry, did, while on detached service as teamster in the Quartermaster's Department, at Fort Seward, D. T., visit, in company with several other soldiers, the town of Jamestown, D. T., and while there did engage in a drunken brawl, or fight, and did fire one or more shots from a pistol; in which brawl, or fight, Private Frank Donohue, 'D' Company, 7th Cavalry, was severely wounded, and the lives of the citizens of the place put in jeopardy. All this at Jamestown, D. T., on or about November 13th, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, with the exception of the words, 'and did fire one or more shots from a pistol;' and to the excepted words, Not Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty, with the exception of the words, 'and did fire one or more shots from a pistol;' and of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Peter Stevenson*, Company "D," 7th Cavalry, "*To forfeit to the U. S. ten* (10) *dollars of his monthly pay, for three* (3) *months, and to be confined in the post guardhouse at the post where his company may be serving, for the period of thirty* (30) *days.*"

II...The proceedings and findings in the foregoing case of Private *Harvey A. Fox*, Company "D," 7th Cavalry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings, findings and sentence in the foregoing case of Private *David C. Dawsey*, Company "D," 7th Cavalry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

The proceedings, findings and sentence in the foregoing case of Private *Peter Stevenson*, Company "D," 7th Cavalry, are approved. In consideration of the length of time the prisoner has been confined, so much of the sentence as relates to confinement, is remitted. As thus mitigated the sentence will be duly executed. He will be released from confinement and restored to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Tim. Sullivan*, Company "B," 7th Cavalry.
2. Private *Thomas Higgins*, Company "F," 7th Cavalry.
3. Private *Joseph Brass*, Company "H," 17th Infantry.
4. Private *James T. Seedes*, Company "A," 6th Infantry.
5. Private *Moses Hyatt*, Company "D," 17th Infantry.
6. Private *Peter Sparks*, Company "F," 7th Cavalry.
7. Private *Michael McDonald*, Company "D," 17th Infantry.
8. Private *Milo W. Campbell*, Company "D," 17th Infantry.
9. Private *Michael Burke* alias *George McDermott*, Company "I," 5th Artillery.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 20th, 1874.

GENERAL ORDERS No. 27.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 256, series of 1873, from these Headquarters, and of which Lieutenant Colonel W. P. CARLIN, 17th Infantry, is President, were arraigned and tried:—

1st. Private *Tim. Sullivan*, Company "B," 7th Cavalry.

CHARGE.—"Disobedience of orders, and conduct prejudicial to good order and military discipline."

Specification.—"In; that Private *Tim. Sullivan*, Company 'B,' 7th U.S. Cavalry, a member of the main guard on the 6th instant, did permit six (6) teamsters to take six (6) mules from a train over which he was doing guard duty; which was contrary to his special

instructions. This at Fort A. Lincoln, D. T., on the 6th day of January, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, substituting the word and figure 'three (3),' for the word and figure 'six (6),' immediately before the word 'mules.'"

To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty, substituting the word and figure 'three (3),' for the word and figure 'six (6),' immediately before the word 'mules.'"

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Tim. Sullivan*, Company "B," 7th Cavalry, "*To forfeit to the United States five* (5) *dollars of his monthly pay, and to be confined at hard labor under charge of the guard, for the period of one month.*"

2d. Private *Thomas Higgins*, Company "F," 7th Cavalry.

CHARGE I.—"Absence without leave."

Specification.—"In; that Private *Thomas Higgins*, 'F' Company, 7th Cavalry, did absent himself from his company and quarters, from reveille, on the 18th day of November, 1873, and did remain absent until ten o'clock A. M., November 18th, 1873. This at Cavalry Barracks, Fort A. Lincoln, D. T., on the 18th day of November, 1873."

CHARGE II.—"Violation of the 44th Article of War."

Specification.—"In; that Private *Thomas Higgins*, 'F' Company, 7th Cavalry, after having been regularly detailed as a member of a

fatigue party of 'F' Company, 7th Cavalry, and ordered to report at fatigue call, (7.45 A. M.,) at Headquarters Cavalry Barracks, Fort Lincoln, D. T., on the 18th day of November, 1873, did fail to report. This at Cavalry Barracks, Fort A. Lincoln, D. T., on the 18th day of November, 1873."

CHARGE III.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In; that Private *Thomas Higgins*, 'F' Company, 7th Cavalry, did use the following language to Acting 1st Sergeant Gustav Klein, 'F' Company, 7th Cavalry, he being in the proper execution of his duty, to wit: 'You are a white livered son-of-a-b——, and I can and will lick you,' or words to that effect, and did attempt to strike the said Sergeant Klein. This in the quarters of 'F' Company, 7th Cavalry, at Cavalry Barracks, Fort A. Lincoln, D. T., between the hours of 3 and 4 o'clock P. M., on the 18th day of November, 1873."

Specification II.—"In; that Private *Thomas Higgins*, 'F' Company, 7th Cavalry, whilst in charge of the post guard, and visiting the company quarters for the purpose of getting his dinner, did make an assault and strike with his hand Sergeant Gustav Klein, without cause or provocation. This whilst he, the said Sergeant Klein was acting as 1st Sergeant, and was passing through the company quarters in the execution of his duty. This at Cavalry Barracks, Fort A. Lincoln, D. T., on the 19th day of November, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE III.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the 1st *Specification*, "Guilty, excepting the words 'and did attempt to strike the said Sergeant Klein;' and of the excepted words Not Guilty."

Of the 2d *Specification*, "Guilty, substituting the word 'kick' for the words 'strike with his hand.'"

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Higgins*, Company "F," 7th Cavalry, "*To forfeit to the United States ten dollars* ($10.00) *per month of his monthly pay, for the period of six* (6) *months, and to be confined at hard labor under charge of a guard, for the period of four* (4) *months.*"

3d. Private *Joseph Brass*, Company "H," 17th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Private *Joseph Brass*, Company 'H,'

17th Infantry, was drunk and disorderly in the quarters of his company, on the 8th day of February, 1874. This at Fort Abraham Lincoln, D. T., and on or about the date above specified."

Specification II.—"In this; that he, Private *Joseph Brass*, Company 'H,' 17th Infantry, while being taken to the guard-house by Corporal Branch Hardy, Company 'H,' 17th Infantry, did make use of the following insulting language to the said Corporal Hardy, to wit: 'You damn son-of-a-b——,' or words to that effect; the said Corporal Hardy being then in the execution of his duty. This at Fort Abraham Lincoln, D. T., and on or about the 8th day of February, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Joseph Brass*, Company "H," 17th Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay for one month, and to be confined at hard labor under charge of a guard, for thirty* (30) *days.*"

4th. Private *James T. Seedes*, Company "A," 6th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *James T. Seedes*, Company 'A,' 6th Infantry, did enter the squad-room of Company 'A,'

6th Infantry, on the evening of February 4th, 1874, and did use the following language: 'You are a lot of God damn sons-of-b——, and will not give me fair play; two of you jumped on me in Buford, D. T., and kicked me; one is still in the company; the other is in hell's flames, burning I hope;' and did repeat the above language a number of times. This at Fort A. Lincoln, D. T., on the date above specified."

Specification II.—"In this: that he, Private *James T. Seedes,* Company 'A,' 6th Infantry, having been ordered by Corporal Henry Shall, Company 'A,' 6th Infantry, to keep still and not use foul language, did fail to do so, but did maliciously and without provocation strike Private George Goldstein, Company 'A,' 6th Infantry, with his fist in the face, thereby inflicting a painful wound. This at Fort A. Lincoln, D. T., February 4th, 1874."

Specification III.—"In this: that he, Private *James T. Seedes,* Company 'A,' 6th Infantry, having been ordered by Corporal Henry Shall, Company 'A,' 6th Infantry, to the guard-house, he—Corporal Shall—being at the time in the lawful execution of his duty; while on the way he asked Corporal Shall to allow him to stop and fix his scarf on his neck, and instead of fixing his scarf, deliberately struck the said Corporal in the face and kicked him severely on the head, thereby resisting Corporal Shall in the execution of his duty, and refusing to go to the guard-house until forcibly carried to the same. This at Fort A. Lincoln, D. T., February 4th, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification,*	"Not Guilty."
To the 2d *Specification,*	"Not Guilty."
To the 3d *Specification,*	"Not Guilty."
To the CHARGE,	"Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James T. Seedes*, Company "A," 6th Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay per month, for three* (3) *months, and to be confined under charge of the guard at hard labor, during the same period.*"

5th. Private *Moses Hyatt*, Company "D," 17th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Moses Hyatt*, Company 'D,' 17th Infantry, being on duty as a sentinel, did, after taking Private Nils Olsen, Company 'D,' 17th Infantry, a prisoner in charge of the guard, to the sink, allow the said prisoner to go to a place where he had concealed a stolen watch, and a certain amount of stolen money, and did allow the said prisoner in his presence to take from the place where he had concealed it, the above named watch and money, and did receive the same from the said prisoner and did keep the same in his possession until the following day. This at or near Camp Hancock, D. T., on or about the 17th and 18th of November, 1873."

Specification II.—"In this: that he, Private *Moses Hyatt*, Company 'D,' 17th Infantry, did, while a member of his post guard, receive from Private Nils Olsen, Company 'D,' 17th Infantry, a prisoner in charge of the guard, a silver watch and one hundred and fifteen (115) dollars, in money, knowing the same to have been stolen by the said Private Olsen, and did keep the same in his possession until the following day, and did not deliver the same to his Company Commander, and did neglect to report to him the fact of his having the property, until after, as he declared, he

had learned that Private Olsen had confessed to his crime. All this at Camp Hancock, D. T., on the 17th and 18th days of November, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty, as far as to include the first word 'money;' find the facts as stated in the remainder of the specification, but attach no criminality thereto."

Of the 2d *Specification*, "Guilty, except the words, 'a silver watch,' and 'knowing the same to have been stolen by the said Private Olsen,' but attach no criminality thereto; and of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Moses Hyatt*, Company "D," 17th Infantry, "*To forfeit to the United States three* (3) *dollars of his monthly pay, for one month.*"

6th. Private *Peter Sparks*, Company "F," 7th Cavalry.

CHARGE.—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Peter Sparks*, 'F' Company, 7th Cavalry, having been directed by Sergeant Michael Keeney, 'F' Company, 7th Cavalry, who was in the proper execution of his office, to move certain boxes in the company quarters, did fail to obey said order, and did reply in words as follows: 'Go to hell you, God damn pimp, — —— —— ———,' or words to that

effect. This at cavalry barracks, Fort Lincoln, D. T., on or about the 17th day of January, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'and did reply in words, as follows: 'Go to hell, you God damn pimp, — —— —— —— or words to that effect;' and of the excepted words, Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Peter Sparks*, Company "F," 7th Cavalry, "*To forfeit to the United States ten* (10) *dollars per month of his monthly pay, for three* (3) *months, and to be confined at hard labor under charge of the guard, for the same period.*"

7th. Private *Michael McDonald*, Company "D," 17th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Michael McDonald*, Company 'D,' 17th Infantry, did go, at about the hour of midnight, to the house of one Mary Mitchell, and demand admittance, which being refused did threaten to shoot the said Mary Mitchell, and did forcibly break open the door and enter her house. This at or near Camp Hancock, D. T., on or about the 20th day of December, 1873."

Specification II.—"In this: that he, Private *Michael McDonald*, Company 'D,' 17th Infantry, having feloniously broken into the house of Mary Mitchell, as set forth in the preceding specifica-

tion, did attempt to force her, the said Mary Mitchell, to carnal connection with himself, and did seize hold of her with violence and did threaten to stab her with an open knife which he held in his hand, if she did not yield her person to his demand. This at or near Camp Hancock, D. T., on or about the 20th day of December, 1873."

To which charges and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael McDonald*, Company "D," 17th Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay per month, for nine* (9) *months, and to be confined at hard labor under charge of the guard, for the same period.*"

8th. Private *Milo W. Campbell*, Company "D," 17th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Milo W. Campbell*, Company 'D,' 17th Infantry, did in company with Private Michael McDonald, of the same company and regiment, at about the hour of midnight, forcibly enter the house of Mary Mitchell, and did violently seize hold of Louise Peeker, and did with threats and violence attempt to force her to carnal connection with himself. This at or near Camp Hancock, D. T., on or about the 20th day of December, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Milo W. Campbell*, Company "D," 17th Infantry.

9th. Private *Michael Burke* alias *George McDermott*, Company "I," 5th Artillery.

CHARGE I.—"Absence without leave."

Specification.—"In: that Private *Michael Burke* alias *George McDermott*, Company 'I,' 5th Artillery, attached to Company 'A,' 7th Cavalry, did absent himself from reveille roll-call on the 18th of February, 1874, of Company 'A,' 7th Cavalry, to which he is attached for duty, without proper authority from his Commanding Officer. This at the cavalry barracks, Fort Abraham Lincoln, D. T., on or about the date above specified."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In: that Private *Michael Burke* alias *George McDermott*, Company 'I,' 5th Artillery, when ordered to be confined by 1st Sergeant William Heyn, Company 'A,' 7th Cavalry, he, the said *Burke* alias *George McDermott*, did shake his fist in the face of the said 1st Sergeant Heyn, and at the same time threaten him, the said 1st Sergeant Heyn, in following words, to wit: 'Heyn, you Dutch son-of-a-b——, you can't take me to the guardhouse, I can whip you,' the said 1st Sergeant being at the time

in lawful execution of his office. This at the cavalry barracks, Fort Abraham Lincoln, D. T., on or about the 18th of February, 1874."

Specification II.—"In: that Private *Michael Burke* alias *George McDermott*, Company 'I,' 5th Artillery, when ordered to be confined by 1st Sergeant William Heyn, Company 'A,' 7th Cavalry, to which company the said *Burke* alias *George McDermott*, is attached for duty, did threaten the said 1st Sergeant Heyn, in following words, to wit: 'Heyn, I can whip you, you son-of-a-b——, I mean it, and mark what I am saying, so you can use it against me on a court martial,' the said 1st Sergeant being at the time in the lawful execution of his office. This at cavalry barracks, Fort Abraham Lincoln, D. T., on or about the 18th of February, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Burke* alias *George McDermott*, Company "I," 5th Artillery, attached to Company 'A,' 7th Cavalry, "*To be confined at hard labor under charge of the guard, for three months, and to forfeit to the United States ten* (10) *dollars of his monthly pay per month, for the same period.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Tim. Sullivan*, Company "B," *Thomas Higgins* and *Peter Sparks*, Company "F," 7th Cavalry, *Joseph Brass*, Company "H," and *Moses Hyatt* and *Michael McDonald*, Company "D," 17th Infantry, *James T. Seedes*, Company "A," 6th Infantry, and *Michael Burke* alias *George McDermott*, Company "I," 5th Artillery, are approved, and the sentences will be duly executed. Private *Moses Hyatt*, Company "D," 17th Infantry, will be released from confinement and restored to duty.

The proceedings and findings in the foregoing case of Private *Milo W. Campbell*, Company "D," 17th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Alexander Robinson*, Company "A," 7th Cavalry.
2. Private *Adolphus Tralor*, Company "H," 17th Infantry.
3. Private *John Wilson*, Company "H," 17th Infantry.
4. Private *William Quay*, Company "H," 17th Infantry.
5. Sergeant *William Hall*, Company "L," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 21st, 1874.

GENERAL ORDERS No. 28.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 256, series of 1873, from these Headquarters, and of which Lieutenant Colonel W. P. CARLIN, 17th Infantry, is President, were arraigned and tried:—

1st. Private *Alexander Robinson*, Company "A," 7th Cavalry.

CHARGE.—"Violation of the 50th Article of War."

Specification.—"In; that Private *Alexander Robinson*, Company 'A,' 7th Cavalry, having been regularly detailed, and on duty as a member of the stable guard of his company, did, without urgent necessity or permission of his Commanding Officer, quit his guard on the evening of the 16th of February, 1874, and did remain absent until the evening of the 19th of February, 1874. This at cavalry barracks, Fort Abraham Lincoln, D. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, in as far as it alleges absence without leave from the 16th of February until the 19th of February; but of the remainder of the specification, Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, excepting the words, 'and on duty,' and 'guard,' and substituting for the word 'guard,' the word 'company,' and of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Alexander Robinson*, Company "A," 7th Cavalry.

2d. Private *Adolphus Tralor*, Company "H," 17th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Adolphus Tralor*, Company 'H,' 17th Infantry, did enter the quarters of Company 'A,' 6th Infantry, in a state of intoxication, and did behave in a disorderly manner, and when ordered by 1st Sergeant Harry Hudson, Company 'A,' 6th Infantry, to desist, did make use of the following language, in an insulting manner, to wit: 'Are you a friend of Sergeant Nolan? if so, you both ought to be placed in a sack together,' or words to that effect. This at Fort Abraham Lincoln, D. T., March 4th, 1874."

Specification II.—"In this: that he, Private *Adolphus Tralor*, Company 'H,' 17th Infantry, having been placed out of the quarters of Company 'A,' 6th Infantry, and ordered by 1st Sergeant Harry Hudson, Company 'A,' 6th Infantry, to go to his company and behave himself, did fail to obey said order, but did immediately return to said quarters. This at Fort Abraham Lincoln, D. T., March 4th, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Adolphus Tralor*, Company "H," 17th Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay, for one month.*"

3d. Private *John Wilson*, Company "H," 17th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *John Wilson*, Company 'H,' 17th Infantry, did feloniously take and steal from the person of Private David McAllister, of Company 'H,' 17th Infantry, a pocket-book, containing the sum of seven dollars, more or less. This at Pleasant Grove Point, D. T., near Fort Abraham Lincoln, D. T., on or about the 18th day of February, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *John Wilson*, Company "H," 17th Infantry.

4th. Private *William Quay*, Company "H," 17th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that Private *William Quay*, Company 'H,' 17th Infantry, did without permission from proper authority, absent himself from the tattoo roll-call of the company, and remain absent until on or about 9 o'clock P. M., on the 28th day of January, 1874. This at Fort Abraham Lincoln, D. T., and on or about the date above specified."

Specification II.—"In this: that Private *William Quay*, Company 'H,' 17th Infantry, upon returning to his quarters on or about 9 o'clock P. M., on the 28th day of January, 1874, when told by Sergeant George Kohule, Company 'H,' 17th Infantry, that he the said Sergeant Kohule had orders to confine him, again left his quarters without authority and in opposition to the orders of the said Sergeant, who directed him to remain. This at Fort Abraham Lincoln, D. T., and on or about the 28th day of January, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Quay*, Company "H," 17th Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay per month, for three months.*"

5th. Sergeant *William Hall*, Company "L," 7th Cavalry.

CHARGE I.—"Absence without leave."

Specification.—"In: that Sergeant *William Hall*, Company 'L,' 7th Cavalry, was absent from guard-mount the 19th February, and until the 21st February, without any authority from his Post or Company Commander, and remained so absent until arrested by order of the Company Commander. This at Fort Abraham Lincoln, D. T., on or about the dates above specified."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that he, Sergeant *William Hall*, Company 'L,' 7th Cavalry, did address a number of the enlisted men of Company 'L,' in the barracks of said company, as follows: 'I don't want to be a non-commissioned officer, I go away when I please, I invite reduction, and don't care a damn for any one.' This at Fort Abraham Lincoln, D. T., on or about the 15th of January, 1874."

ADDITIONAL CHARGE I.—"Absence without leave."

Specification.—"In: that Sergeant *William Hall*, Company 'L,' 7th Cavalry, was absent from his company and post without proper authority, from tattoo roll-call, February 2d, until reveille roll-call, February 4th, 1874. This at Fort Abraham Lincoln, D. T., on or about the dates above specified."

ADDITIONAL CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that Sergeant *William Hall*, Company 'L,' 7th Cavalry, when spoken to by his Company Commander, 1st

Lieutenant J. F. Weston, 7th Cavalry, about his absence on February 2d and 3d, 1874, did promise him, 1st Lieutenant J. F. Weston, 7th Cavalry, Commanding Company 'L,' that his unlawful absence would not occur again; did absent himself without leave, and remain absent from guard-mount February 19th, until the afternoon of February 21, 1874, when arrested and returned under guard by order of his Company Commander, 1st Lieutenant J. F. Weston, 7th Cavalry. This at Fort Abraham Lincoln, D. T., on or about the dates as above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

ADDITIONAL CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

ADDITIONAL CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

ADDITIONAL CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

ADDITIONAL CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *William Hall*, Company "L," 7th Cavalry, "*To be reduced to the rank of a private soldier.*"

II...The proceedings and findings in the foregoing cases of Privates *Alexander Robinson*, Company "A," 7th Cavalry, and *John Wilson*, Company "H," 17th Infantry, are approved. Orders have already been issued for their release from confinement and restoration to duty.

The proceedings, findings and sentences in the foregoing cases of Privates *Adolphus Tralor* and *William Quay*, Company "H," 17th Infantry, and Sergeant *William Hall*, Company "L," 7th Cavalry, are approved, and the sentences will be duly executed. Privates *Tralor* and *Quay* will be released from confinement and restored to duty. Sergeant *Hall* will be released from arrest.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *James Golden*, Company "F," 17th Infantry.
2. Private *Charles Smurr*, Company "F," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 29th, 1874.

GENERAL ORDERS No. 29.

I...Before a General Court Martial which convened at Fort Abercrombie, D. T., by virtue of paragraph I, Special Orders No. 41, current series, from these Headquarters, and of which Captain E. P. PEARSON, 17th Infantry, is President, were arraigned and tried:—

1st. Private *James Golden*, Company "F," 17th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this; that Private *James Golden*, Company 'F,' 17th Infantry, being stationed at Fort Abercrombie, D. T., did cross the Red River of the North, and go over into the town of MacCauleyville, Minn., in violation of Post Orders No. 28, dated November 8th, 1873, as follows:

'HEADQUARTERS, FORT ABERCROMBIE, D. T.,

November 8th, 1873.

'GENERAL ORDERS No. 28.

'All enlisted men, except Indian scouts, are prohibited to cross the Red River without a written pass from the Commanding Officer, or from the Commanding Officer of their respective company.

'BY ORDER OF COLONEL CRITTENDEN.

'(Signed,) 'H. S. HOWE,

'*1st Lieutenant, 17th Infantry,*

'*Acting Post Adjutant.*'

All this on or about the 7th day of February, 1874, between the hours of 3 o'clock and 6 o'clock P. M., at and near the post of Fort Abercrombie, D. T."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this; that Private *James Golden*, Company 'F,' 17th Infantry, did go from his station, Fort Abercrombie, D. T., over the Red River of the North, into the town of MacCauleyville, Minn., and did become greatly intoxicated, and did disturb the peace of said town by engaging in a disgraceful fight with Private Charles Smurr, Company 'F,' 17th Infantry, in a low dance house, and did get beaten and injured in said fight, so as to be incapacitated for any duty whatever, making it necessary to carry him, the said *Golden*, to the post hospital at Fort Abercrombie, D. T., and there care for him. All this at MacCauleyville, Minn., and Fort Abercrombie, D. T., on or about the 7th day of February, 1874, between the hours of 3 o'clock and 6 o'clock P. M."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Golden*, Company "F," 17th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *a month of his monthly pay, for the period of three* (3) *months, and to be confined at hard labor in charge of the guard, for the same period.*"

2d. Private *Charles Smurr*, Company "F," 17th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this; that Private *Charles Smurr*, Company 'F,' 17th Infantry, being stationed at Fort Abercrombie, D. T., did cross the Red River of the North, and go over into the town of MacCauleyville, Minn., in violation of Post Orders No. 28, dated November 8th, 1873, as follows:

'HEADQUARTERS, FORT ABERCROMBIE, D. T.,
November 8th, 1873.

'GENERAL ORDERS No. 28.

'All enlisted men, except Indian scouts, are prohibited to cross the Red River without a written pass from the Commanding Officer, or from the Commanding Officer of their respective company.

'BY ORDER OF COLONEL CRITTENDEN.

'(Signed.) 'H. S. HOWE,
'*1st Lieutenant, 17th Infantry,*
'*Acting Post Adjutant.*'

All this on or about the 7th day of February, 1874, between the hours of 3 o'clock and 6 o'clock P. M., at and near the post of Fort Abercrombie, D. T."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this; that Private *Charles Smurr*, Company 'F,' 17th Infantry, did go from his station, Fort Abercrombie, D. T., over the Red River of the North, into the town of MacCauleyville, Minn., and did become more or less intoxicated or under the influence of intoxicating liquor, and did disturb the peace of said town by trying to get into a fight with a citizen named Frank Whalen, and by entering a low dance house and engaging in a disgraceful and brutal fight with Private James Golden, Company 'F,' 17th Infantry, beating the said Golden about the head and face in a brutal manner. All this at MacCauleyville, Minn., and Fort Abercrombie, D. T., on or about February 7th, 1874, between the hours of 3 o'clock and 6 o'clock P. M."

To which charges and specifications the accused pleaded as follows:

CHARGE. I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Smurr*, Company "F," 17th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *of his monthly pay, for the period of three* (3) *months, and to be confined at hard labor, for the same period.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *James Golden* and *Charles Smurr*, Company "F," 17th Infantry, are approved, and the sentences will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Michael Ahern*, Company "A," 17th Infantry.
2. Sergeant *Albert Netherton*, Company "F," 17th Infantry.
3. Private *Michael Donlyn*, Company "A," 17th Infantry.
4. Private *Isaac Carmichael*, Company "F," 17th Infantry.
5. Artificer *John J. Sweeney*, Company "A," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 30th, 1874.

GENERAL ORDERS No. 30.

I...Before a General Court Martial which convened at Fort Abercrombie, D. T., by virtue of paragraph I, Special Orders No. 41, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, were arraigned and tried:—

1st. Private *Michael Ahern*, Company "A," 17th Infantry.

CHARGE.—"Disobedience of orders."

Specification.—"In this: that *Michael Ahern*, Private, Company 'A,' 17th Infantry, did, in direct violation of the following General Orders, viz.:

'HEADQUARTERS, FORT ABERCROMBIE, D. T.,

November 8th, 1873.

'GENERAL ORDERS No. 28.

'All enlisted men, except Indian scouts, are prohibited to cross the Red River without a written pass from the Commanding Officer, or from the Commanding Officer of their respective company.

'BY ORDER OF COLONEL CRITTENDEN.

'(Signed,) 'H. S. HOWE,

'*1st Lieutenant, 17th Infantry,*

'*Acting Post Adjutant.*'

cross the Red River without permission from proper authority, between the hours of 6 and 8 o'clock P. M., February 21st, 1874. All this at Fort Abercrombie, D. T., and MacCauleyville, Minn., on the date above mentioned."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Michael Ahern*, Company "A," 17th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *a month of his monthly pay, for the period of two* (2) *months, and to be confined at hard labor in charge of the guard, for the same period.*"

2d. Sergeant *Albert Netherton*, Company "F," 17th Infantry.

CHARGE.—"Violation of the 50th Article of War."

Specification.—"In this: that Sergeant *Albert Netherton*, Company 'F,' 17th Infantry, having been duly mounted as sergeant of the guard at Fort Abercrombie, D. T., February 25th, 1874, did quit said guard without authority, and go to the quarters of 'F' Company, 17th Infantry, and engaged in dancing with the privates of said company, and there remained until found by the officer of the day. This at Fort Abercrombie, D. T., between the hours of 6 and 7 o'clock P. M., February 25th, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Find the facts as stated in the specification, except the words, 'without authority,' and attach no criminality thereto."

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Sergeant *Albert Netherton*, Company "F," 17th Infantry.

3d. Private *Michael Donlyn*, Company "A," 17th Infantry.

CHARGE.—"Drunkenness on duty, in violation of the 45th Article of War."

Specification.—"In this: that Private *Michael Donlyn*, Company 'A,' 17th Infantry, having been properly detailed as room orderly, on the 7th day of March, 1874, did become so drunk as to unable him to properly perform his duties. All this at Fort Abercrombie, D. T., on or about the 7th day of March, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Donlyn*, Company "A," 17th Infantry, "*To forfeit to the United States ten* (10) *dollars a month of his monthly pay, for the period of three* (3) *months, and to be confined at hard labor in charge of the guard, for the same period.*"

4th. Private *Isaac Carmichael*, Company "F," 17th Infantry.

CHARGE.—"Drunkenness on duty, in violation of the 45th Article of War."

Specification.—"In: that he, Private *Isaac Carmichael*, Company 'F,' 17th Infantry, having been properly detailed for guard duty and mounted as a member of the post guard at Fort Abercrombie, D. T., on the 6th day of March, 1874, did become so drunk as to be unable to properly perform his duties. All this at Fort Abercrombie, D. T., on or about the day above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Isaac Carmichael*, Private, Company "F," 17th Infantry, "*To forfeit to the United States ten* (10) *dollars per month of his monthly pay, for four months, and to be confined at hard labor in charge of the guard, for the same period.*"

5th. Artificer *John J. Sweeney*, Company "A," 17th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Artificer *John J. Sweeney*, Company 'A,' 17th Infantry, having been regularly mounted as a member of the police guard, mounted at Fort Abercrombie, D. T., March 8th, 1874, and having been regularly detailed as a senti-

nel over three (3) prisoners, Private Charles Smurr, Company 'F,' 17th Infantry, and Privates Francis M. Hoffman and John Holland, Company 'A,' 17th Infantry, and ordered by Sergeant John S. Tunnicliff, Company 'F,' 17th Infantry, sergeant of the police guard, and at the time in the execution of his office, to conduct said prisoners to the water-closet (near the guard-house) and back again to the guard-house, did allow two (2) of said prisoners, viz.: Privates Francis M. Hoffman and John Holland, Company 'A,' 17th Infantry, to make their escape, and after the escape of the said prisoners, did remark to Private Simon P. Lauffer, Company 'F,' 17th Infantry, (who was also a sentinel, and who had conducted prisoners to one of the water-closets,) 'Two of my prisoners have escaped;' this uttered in an ordinary tone of voice; and the said *Sweeney* did then, and not until then, fire his rifle musket, firing up in the air, and called the sergeant of the guard. This at Fort Abercrombie, D. T., about 7 o'clock P. M., March 8th, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Artificer *John J. Sweeney*, Company "A," 17th Infantry.

II...The proceedings and findings in the foregoing cases of Sergeant *Albert Netherton*, Company "F," and Artificer *John J. Sweeney*, Company "A," 17th Infantry, are approved. Orders have already been issued for their release from arrest and confinement and restoration to duty.

The proceedings, findings and sentences in the foregoing cases of Privates *Michael Ahern* and *Michael Donlyn*, Company "A," and *Isaac Carmichael*, Company "F," 17th Infantry, are approved, and the sentences will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Edward Bagley*, Company "C," 7th Cavalry.
2. Private *Emmett Bar*, Company "H," 7th Cavalry.
3. Private *Albert Whitenfield*, Company "K," 7th Cavalry.
4. Private *John Heimbrick*, Company "K," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 1st, 1874.

GENERAL ORDERS No. 31.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 2, current series, from these Headquarters, and of which Major J. G. TILFORD, 7th Cavalry, is President, were arraigned and tried:—

1st. Private *Edward Bagley*, Company "C," 7th Cavalry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Edward Bagley*, Company 'C,' 7th Cavalry, did steal, take, and carry away from the post trader's establishment at this post, one (1) piece of calico, valued at $6.00, the property of William Harmon, post trader. This at Fort Rice, D. T., on or about the 29th day of December, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Bagley*, Company "C," 7th Cavalry, "*To forfeit to the U. S. five* (5) *dollars of his monthly pay, for the period of five* (5) *months, and to be confined under charge of the guard, doing hard labor, at the post where his company may be serving, for the same period. The Court is thus lenient on account of the previous good character, and the youthful appearance of the prisoner.*"

2d. Private *Emmett Bar*, Company "H," 7th Cavalry.

CHARGE I.—"Violation of the 38th Article of War."

Specification.—"In this; that he, Private *Emmett Bar*, Company 'H,' 7th Cavalry, did sell to a citizen, one John Mulhearn, one army blanket, which had been issued to him by the government of the U. S. for his own use. This at the post of Fort Rice, Dakota, on or about January 31st, 1874."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this; that he, Private *Emmett Bar*, Company 'H,' 7th U. S. Cavalry, did feloniously take, steal, and carry away from the squad-room of his company, one army blanket, the property of John Cooper, Private, Company 'H,' 7th Cavalry. This at the post of Fort Rice, Dakota, on or about January 31st, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Emmett Bar*, Company "H," 7th Cavalry, "*To forfeit to the U. S. all pay and allowances now due or that may become due, except the just dues of the laundress and company tailor, and to be confined at hard labor for a period of six (6) months; then to be dishonorably discharged and drummed out of the service of the United States.*"

3d. Private *Albert Whitenfield*, Company "K," 7th Cavalry.

CHARGE I.—"Desertion."

Specification.—"In; that Private *Albert Whitenfield*, Company 'K,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service on or about the 20th day of May, 1867, at camp near Fort Hays, Kansas, and did remain absent until apprehended at Sandusky, Ohio, on or about the 7th day of July, 1873."

CHARGE II.—"Theft."

Specification.—"In; that Private *Albert Whitenfield*, Company 'K,' 7th Cavalry, did feloniously take, steal, and carry away the follow-

ing, the property of the United States, and for which Captain R. M. West, 7th Cavalry, was responsible, viz.: one (1) horse, valued $65.00, and ordnance stores including one (1) carbine, one (1) set of belts and cartridge box, one (1) saddle, one (1) bridle (curb), one (1) saddle blanket, &c., amounting to one hundred and fifty one 98–100 dollars ($151.98–100.) This at camp near Fort Hays, Kansas, on or about the 20th day of May, 1867. (He having absented himself so that an earlier trial has not been practicable)."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Albert Whitenfield*, Company "K," 7th Cavalry, "*To forfeit to the U. S. all pay and allowances now due or that may become due, except the just dues of the laundress; to be dishonorably discharged the service of the U. S., and to be confined at hard labor at such military prison as the reviewing authority may direct, for three* (3) *years.*"

4th. Private *John Heimbrick*, Company "K," 7th Cavalry.

CHARGE I.—"Desertion."

Specification.—"In; that Private *John Heimbrick*, Company 'K,' 7th Cavalry, a duly enlisted soldier in the service of the U. S., did desert said service on or about the 28th day of January, 1874, and did remain absent until apprehended on or about the 15th day of February, 1874. This at Fort Rice, D. T."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification I.—"In; that Private *John Heimbrick*, Company 'K,' 7th Cavalry, did feloniously take, steal, and carry away, and appropriate to his own use, one (1) Remington carbine, one (1) sabre belt and plate, one (1) sabre knot, and one (1) cartridge box, the property of the U. S., and for which 1st Lieutenant Edward S. Godfrey, 7th Cavalry, is responsible. This at Fort Rice, D. T., on or about the 28th day of January, 1874."

Specification II.—"In; that Private *John Heimbrick*, Company 'K,' 7th Cavalry, did feloniously take, steal or carry away to appropriate to his own use or benefit, one (1) uniform overcoat, and one (1) cap, the property of Private Julius Gunther, Company 'K,' 7th Cavalry. This at Fort Rice, D. T., on or about the 28th day of January, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*,	"Not Guilty."
To the CHARGE,	"Not Guilty."

CHARGE II.

To the 1st *Specification*,	"Not Guilty."
To the 2d *Specification*,	"Not Guilty."
To the CHARGE,	"Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Heimbrick*, Company "K," 7th Cavalry, "*To forfeit to the U. S. all pay and allowances now due or that may become due, except the just dues of the laundress; to be dishonorably discharged the service of the U. S., and to be confined at hard labor in such military prison as the Commanding General may direct, for a period of three* (3) *years.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Edward Bagley*, Company "C," and *Emmett Bar*, Company "H," 7th Cavalry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentence in the foregoing case of Private *Albert Whitenfield*, Company "K," 7th Cavalry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified, the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement.

In the foregoing case of Private *John Heimbrick*, Company "K," 7th Cavalry, the findings under the second specification to charge II, and the charge, are disapproved, it appearing from the evidence that the coat and cap he is charged with having stolen, was simply borrowed from Private Gunther, and not returned. This cannot be held to constitute

the crime of larceny. The proceedings and remainder of the findings, together with the sentence, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement, and mitigated to imprisonment at hard labor under charge of the guard, for the period of two (2) years, with the forfeiture adjudged. As thus modified and mitigated the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Corporal *John Wamsler*, Company "C," 6th Infantry.
2. Corporal *Dennis Donovan*, Company "I," 6th Infantry.
3. Corporal (now Private) *James M. Sligor*, Company "I," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 4th, 1874.

GENERAL ORDERS No. 32.

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of Special Orders No. 7, current series, from these Headquarters, and of which Captain MONTGOMERY BRYANT, 6th Infantry, is President, were arraigned and tried:—

1st. Corporal *John Wamsler*, Company "C," 6th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this; that he, Corporal *John Wamsler*, Company 'C,' 6th Infantry, being a non-commissioned officer of the guard, did permit the escape from the guard-house, of two (2) general prisoners—Privates Anton Kreeling, Company 'I,' 18th Infantry, and Samuel Harris, Company 'A,' 9th Infantry—by allowing them to leave the prison room and enter the hall, without having previously ordered a proper guard to take charge of them. This at Fort Buford, D. T., on or about the 2d day of November, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *John Wamsler*, Company "C," 6th Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay, for two* (2) *months; and to be reduced to the rank of a private soldier.*"

2d. Corporal *Dennis Donovan*, Company "I," 6th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Corporal *Dennis Donovan*, Company 'I,' 6th Infantry, did resist with force and violence, the 1st Sergeant of his Company, Henry Watson, while said 1st Sergeant was in the execution of his office, endeavoring to quell a disturbance in the company quarters; and did repeatedly strike said 1st Sergeant with his fist. This at Fort Buford, D. T., on or about the 25th day of December, 1873."

Specification II.—"In this; that he, Corporal *Dennis Donovan*, Company 'I,' 6th Infantry, did assault the 1st Sergeant of his Company, Henry Watson, while said 1st Sergeant was in the execution of his office, and endeavoring to quell a disturbance in the company quarters, and did incite other men of the company to join in said assault by saying: 'Come on, let us go for the Dutch son-of-a-b——, while he is down,' or words to that effect. This at Fort Buford, D. T., on or about the 25th day of December, 1873."

Specification III.—"In this; that he, Corporal *Dennis Donovan*, Company 'I,' 6th Infantry, did load his gun, and break with the butt of his musket the window of the orderly room of Company 'I,' 6th Infantry, and did endeavor to gain entrance to said orderly room, saying the following words: 'Starr (meaning Commissary Sergeant Charles Starr, U. S. A.,) I want to kill you, God damn you; come out of that orderly room and I will fix you,' or words to that effect. This in the presence of enlisted men at Fort Buford, D. T., on or about the 25th day of December, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty, except from and including the words, 'and did incite,' to the end of the specification; and of the excepted part, Not Guilty."

Of the 3d *Specification*, "Guilty, except the words, 'load his gun,' and the words, 'the butt of his musket,' substituting therefor, 'a hammer,' and except the words, 'I want to kill you, God damn you;' of the substituted words, 'Guilty;' of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *Dennis Donovan*, Company "I," 6th Infantry, "*To be reduced to the ranks of a private soldier; to forfeit to the United States ten* (10) *dollars of his monthly pay, for six* (6) *months; and to be confined at hard labor under charge of the guard, for the same period. The Court is thus lenient in view of the palliat-*

ing circumstances, and former good character of the prisoner, as shown in evidence."

3d. Corporal (now Private) *James M. Sligor*, Company "I," 6th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this; that he, Corporal (now private) *James M. Sligor*, Company 'I,' 6th Infantry, being present in the company squad room of Company 'I,' 6th Infantry, during a disturbance in said company, did fail to use any endeavor to quell said disturbance, and did allow 1st Sergeant Henry Watson, Company 'I,' 6th Infantry, to be attacked and beaten by Corporal Dennis Donovan, Company 'I,' 6th Infantry, without in any way assisting him in his defence; 1st Sergeant Henry Watson being in the proper discharge of his duty at that time. This at Fort Buford, D. T., on or about the 25th day of December, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Corporal (now private) *James M. Sligor*, Company "I," 6th Infantry.

II...The proceedings, findings and sentence in the foregoing case of Corporal *John Wamsler*, Company "C," 6th Infantry, are approved

and the sentence will be duly executed. He will be released from arrest and restored to duty as a private.

The proceedings, findings and sentence in the foregoing case of Corporal *Dennis Donovan*, Company "I," 6th Infantry, are approved. Upon the recommendation of the Court, the sentence is remitted. He will be released from arrest and restored to duty.

The proceedings and findings in the foregoing case of Corporal (now Private) *James M. Sligor*, Company "I," 6th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

HEADQUARTERS DEPARTMENT OF DAKOTA.

St. Paul, Minn., May 7, 1874.

GENERAL ORDERS,
No. 33.

It having become known to the Department Commander that 2d Lieutenant *John Aspinwall,* 7th Cavalry, is absent from his post without leave, and under circumstances which lead to the belief that grave irregularities exist in his public accounts as a disbursing officer, any officer of this command who may now be, or may hereafter become cognizant of his whereabouts is hereby authorized and directed to cause him to be arrested and forwarded to these headquarters under close guard.

Officers of the Army not of this command, who may learn the whereabouts of Lieutenant *Aspinwall,* are requested to give information thereof as early as possible by telegraph to the Assistant Adjutant General of this Department.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Joab Bills*, Company "B," 6th Infantry.
2. Private *John McMullin*, Company "B," 7th Cavalry.
3. Musician *George Chambers*, Company "B," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., May 8th, 1874.

GENERAL ORDERS No. 34.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 256, series of 1873, from these Headquarters, and of which Lieutenant Colonel W. P. CARLIN, 17th Infantry, is President, were arraigned and tried:—

1st. Private *Joab Bills*, Company "B," 6th Infantry.

CHARGE I.—"Larceny, to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Joab Bills*, Company 'B,' 6th Infantry, did feloniously take, steal, and carry away, with intent to convert to his own use: Two (2) Springfield breech-loading rifle muskets, of the value of fifty (50) dollars each, the property of the United States, and for which 1st Lieutenant John Carland, 6th Infantry, is responsible. This at Fort Abraham Lincoln, D. T., on or about September 13th, 1873."

Specification II.—"In this: that he, Private *Joab Bills*, Company 'B,' 6th Infantry, did feloniously take, steal, and carry away, with intent to convert to his own use: One (1) Springfield breech-load-

ing rifle musket, of the value of fifty (50) dollars, the property of the United States, and for which 1st Lieutenant John Carland, 6th Infantry, is responsible. This at Fort Abraham Lincoln, D. T., on or about September 26th, 1873."

Specification III.—"In this: that he, Private *Joab Bills*, Company 'B,' 6th Infantry, did feloniously take, steal, and carry away, with intent to convert to his own use: One (1) Springfield breech-loading rifle musket, of the value of fifty (50) dollars, the property of the United States, and for which 1st Lieutenant John Carland, 6th Infantry, is responsible. This at Fort Abraham Lincoln, D. T., on or about November 21st, 1873."

CHARGE II.—"Desertion."

Specification.—"In this: that he, Private *Joab Bills*, Company 'B,' 6th Infantry, a duly enlisted soldier in the service of the United States, did desert the said service, on or about the afternoon of December 9th, 1873, and did remain absent until arrested in citizen's clothing, at the wood camp of one McCarthy, near Fort Abraham Lincoln, D. T., on the night of December 9th, 1873. This at the places and on or about the time and date above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*,	"Not Guilty."
To the 2d *Specification*,	"Not Guilty."
To the 3d *Specification*,	"Not Guilty."
To the CHARGE,	"Not Guilty."

CHARGE II.

To the *Specification*,	"Not Guilty."
To the CHARGE,	"Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*,	"Guilty."
Of the 2d *Specification*,	"Not Guilty."
Of the 3d *Specification*,	"Not Guilty."
Of the CHARGE,	"Guilty."

CHARGE II.

Of the *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Joab Bills*, Company "B," 6th Infantry, "*To forfeit to the United States all pay now due or that may become due; to be dishonorably discharged from the service of the United States; to be confined at hard labor, wearing a twenty* (20) *pound ball, attached by a chain four feet long, to his left leg, at such military prison as the Department Commander may direct, for the period of five* (5) *years.*"

2d. Private *John McMullin*, Company "B," 7th Cavalry.

CHARGE.—"Violation of the 9th Article of War."

Specification I.—"In; that he, Private *John McMullin*, Company 'B,' 7th Cavalry, did, when ordered by his superior non-commissioned officer, Sergeant Thomas Murray, Company 'B,' 7th Cavalry, Acting 1st Sergeant of the company, to go to his bunk and lay down, did refuse to do so, and did then and there strike the said Sergeant Thomas Murray, Company 'B,' 7th Cavalry, a blow in the face with his fist, the said Sergeant Thomas Murray being in the lawful execution of his duty. This at Fort Abraham Lincoln, D. T., on or about the 17th day of February, 1874."

Specification II.—"In; that he, Private *John McMullin*, Company 'B,' 7th Cavalry, having been ordered by his superior non-commissioned officer, Sergeant Thomas Murray, Company 'B,' 7th Cavalry, to go to his bunk and lay down, did willfully disobey said order, and did when ordered to go to the guard-house, say to the said Sergeant Thomas Murray, Company 'B,' 7th Cavalry, he

being in the lawful execution of his duty, 'I will be damned if you can bring me,' or words to that effect. This at Fort Abraham Lincoln, D. T., on or about the 17th of February, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Not Guilty, but Guilty of conduct prejudicial to good order and military discipline."

SENTENCE.

And the Court does therefore sentence him, Private *John McMullin*, Company "B," 7th Cavalry, "*To forfeit to the United States twelve dollars* ($12) *per month of his monthly pay, for seven* (7) *months, and to be confined at hard labor under charge of the guard, for the same period.*"

3d. Musician *George Chambers*, Company "B," 6th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this: that he, Musician *George Chambers*, Company 'B,' 6th Infantry, did absent himself from his company and post without proper authority, from 10 o'clock A. M., March 17th, 1874, until 2 o'clock P. M., March 18th, 1874. All this at Fort Abraham Lincoln, D. T., on or about the time and dates above specified."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Musician *George Chambers*, Company 'B,' 6th Infantry, did falsely and fraudulently make a certain order on S. A. Dickey, post trader at Fort Abraham Lincoln, D. T., for the sum of five dollars ($5.00,) and forge and sign the name of John Carland, Lieutenant, Commanding Company 'B,' to said order, with intent to cheat and defraud said S. A. Dickey, post trader."

Specification II.—"In this; that he, Musician *George Chambers*, Company 'B,' 6th Infantry, did utter and pass as true a certain false and forged order for the sum of five dollars ($5.00,) purporting to be signed by John Carland, Lieutenant, Commanding Company 'B,' 6th Infantry, knowing the same to be false, forged, and fraudulent, with intent to cheat and defraud S. A. Dickey, post trader. All this at Fort Abraham Lincoln, D. T., on or about March 17, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty, except as to the words, 'with intent to cheat and defraud said S. A. Dickey, post trader;' and to the excepted words, Not Guilty."

To the 2d *Specification*, "Guilty, except as to the words, 'with intent to cheat and defraud S. A. Dickey, post trader;' and to the excepted words, Not Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

Charge II.

Of the 1st *Specification*, "Guilty, except of the words, 'with intent to cheat and defraud said S. A. Dickey, post trader;' and of the excepted words, Not Guilty."

Of the 2d *Specification*, "Guilty, except of the words, 'with intent to cheat and defraud S. A. Dickey, post trader;' and of the excepted words, Not Guilty."

Of the Charge, "Guilty."

Sentence.

And the Court does therefore sentence him, Musician *George Chambers*, Company "B," 6th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *of his monthly pay per month, for the period of twelve* (12) *months, and to be confined at hard labor under charge of the guard, for the same period.*"

II...In the foregoing case of Private *Joab Bills*, Company "B," 6th Infantry, the findings under the 1st charge and its specifications, are disapproved, for the reason that conviction seems to rest mainly on hearsay testimony. The proceedings and remainder of the findings, together with the sentence, except so much thereof as relates to the wearing of a ball and chain, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement, and mitigated to imprisonment at hard labor under charge of the guard, for the period of three (3) years, with the forfeiture adjudged. As thus modified and mitigated the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement.

In the foregoing case of Private *John McMullen*, Company "B," 7th Cavalry, the proceedings are disapproved, for the following reasons:

When the case was tried, the court found the accused guilty of the specification, and not guilty of the charge, and acquitted him. The record was returned to the court for a reconsideration of its action, in view of the fact that a finding of guilty under the 99th Article of War should have been rendered, as in harmony with the findings under the specifications. Pending such action, material changes were made in

the constitution of the court, and a legal reconsideration became thereby impossible.

Private *McMullin* will be released from confinement and restored to duty.

In the foregoing case of Musician *George Chambers*, Company "B," 6th Infantry, the proceedings, findings and sentence—except so much of the latter as provides for a greater forfeiture than ten (10) dollars per month, for two (2) months, and confinement for a like period—are approved. The sentence, as approved, will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

Private *Eugene F. Morris*, Company "F," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 11th, 1874.

GENERAL ORDERS)
No. 35.)

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of Special Orders No. 7, current series, from these Headquarters, and of which Captain MONTGOMERY BRYANT, 6th Infantry, is President, were arraigned and tried:—

Private *Eugene F. Morris*, Company "F," 6th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In; that Private *Eugene F. Morris*, Company 'F,' 6th Infantry, being a member of the post guard, did become drunk on the said guard. This at Fort Buford, D. T., on the 22d day of February, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Eugene F. Morris,* Company "F," 6th Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay, for four* (4) *months. The Court is thus lenient in consideration of the length of time the prisoner has already been in confinement, and the probable length of time that will elapse before the promulgation of his sentence.*"

II...The proceedings, findings and sentence in the foregoing case of Private *Eugene F. Morris,* Company "F," 6th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Buford, D. T., by virtue of Special Orders No. 7, current series, from these Headquarters, and of which Captain MONTGOMERY BRYANT, 6th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *James Clark*, Company "E," 22d Infantry.
2. Private *John Hanrahan*, Company "E," 22d Infantry.
3. Private *Bernard McManus*, Company "K," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 16th, 1874.

GENERAL ORDERS No. 36.

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 53, current series, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, were arraigned and tried:—

1st. Private *James Clark*, Company "E," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Private *James Clark*, Company 'E,' 22d Infantry, did forge, or was accessory to the forgery of the name of First Lieutenant M. E. Hogan, 22d Infantry, upon an order, which order was in words and figures as follows:

'FORT SULLY, D. T.,
January 21st, 1874.

'POST TRADER:

'Will sell to Private *Clark*, Company 'E,' 22d Infantry, one (1) bottle of whiskey.

'M. E. HOGAN,
'*1st Lieutenant*, 22*d Infantry*.'

and did present said order at the store of the post trader at Fort

Sully, D. T., and did endeavor to obtain a bottle of whiskey on said order. This at Fort Sully, D. T., on or about the 23d day of January, 1874."

Specification II.—"In this; that he, Private *James Clark*, Company 'E,' 22d Infantry, did present at the post trader's at Fort Sully, D. T., an order for one bottle of whiskey, which was in words and figures, as follows:

'FORT SULLY, D. T.,
January 21*st*, 1874.

'POST TRADER:

'Will sell to Private *Clark*, Company 'E,' 22d Infantry, one (1) bottle of whiskey.

'M. E. HOGAN.
1*st Lieutenant*, 22*d Infantry*.'

and did endeavor to obtain whiskey on said order, he, the said *Clark* knowing at the time that the name of Lieutenant M. E. Hogan, written thereon, was a forgery, and when informed that it was such by the post trader's clerk, (Mr. Powers,) did falsely assert that the signature was that of Lieutenant Hogan, and that Lieutenant Hogan had signed and given him the order on the 21st day of January, 1874. All this at Fort Sully, D. T., on or about the 23d of January, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *James Clark*, Company "E," 22d Infantry.

2d. Private *John Hanrahan*, Company "E," 22d Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Private *John Hanrahan*, Company 'E,' 22d Infantry, did, in company with Private Bernard McManus, Company 'K,' 22d Infantry, break in a window and enter a room in the stable of an officer, and did steal and take therefrom one Smith & Wesson pistol, valued at twelve dollars, more or less. This at Fort Sully, D. T., on or about the 22d day of February, 1874."

Specification II.—"In this; that he, Private *John Hanrahan*, Company 'E,' 22d Infantry, in company with Private Bernard McManus, Company 'K,' 22d Infantry, did enter a room in the stable of an officer, and did break open a box containing clothing and personal property, and did steal and take therefrom property valued at one dollar and fifty cents, more or less. This at Fort Sully, D. T., on or about February 28th, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Guilty, excepting the words, 'one dollar and fifty cents,' substituting the words, 'four dollars,' therefor."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Hanrahan*, Company "E," 22d Infantry, "*To be confined at hard labor in charge of the guard, for one month, and to forfeit to the United States thirteen* (13) *dollars per month of his monthly pay, for two* (2) *months.*"

3d. Private *Bernard McManus*, Company "K," 22d Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Bernard McManus*, Company 'K,' 22d Infantry, did, in company with Private John Hanrahan, Company 'E,' 22d Infantry, forcibly enter a room by breaking in a window in an officer's stable, and did steal and take therefrom one Smith & Wesson pistol, of the value of twelve dollars, more or less. This at Fort Sully, D. T., on or about the 22d day of February, 1874."

Specification II.—"In this: that he, Private *Bernard McManus*, Company 'K,' 22d Infantry, did, in company with Private John Hanrahan, Company 'E,' 22d Infantry, enter a room in an officer's stable, and did break open a box containing clothing and personal property, and did steal and take therefrom property to the value of one dollar and fifty cents, more or less. This at Fort Sully, D. T., on or about February 28th, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Bernard McManus*, Company "K," 22d Infantry, "*To be confined at hard labor in charge of the guard, for one month, and to forfeit to the United States thirteen* (13) *dollars per month of his monthly pay, for two* (2) *months.*"

II...The proceedings and findings in the foregoing case of Private *James Clark*, Company "E," 22d Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

In the foregoing case of Private *John Hanrahan*, Company "E," 22d Infantry, the proceedings are disapproved, for the reason that the objection of the accused to a member of the court, upon the ground that he had preferred the charges, was erroneously over-ruled. The fact that a member has signed the charges preferred against an accused party, does not necessarily render him incompetent, even when challenged, to sit on the trial of the cause, as it may be susceptible of explanation. In the case under consideration, the challenged member—who, it appears, occupied the stable referred to in the pleadings—failed to make any statement, and the ground of the court's action is not indicated in the record. It is desirable that when a challenged member can refute an objection, he should do so. When he sits mute, the accused is entitled to the full force of the objection as established. Private *Hanrahan* will be released from confinement and restored to duty.

The proceedings, findings and sentence in the foregoing case of Private *Bernard McManus*, Company "K," 22d Infantry, are approved, and the sentence will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Edward Kelly*, Company "F," 2d Cavalry.
2. Private *Horace M. Gray*, Company "A," 7th Infantry.
3. Private *Charles Whalen*, Company "A," 7th Infantry.
4. Private *Peter Jokeim*, Company "F," 2d Cavalry.
5. Private *John Smith*, Company "G," 2d Cavalry, alias Private *Peter Paule*, Company "D," 4th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., May 18th, 1874.

GENERAL ORDERS No. 37.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph II, Special Orders No. 54, current series, from these Headquarters, and of which Major N. B. SWEITZER, 2d Cavalry, is President, were arraigned and tried:—

1st. Private *Edward Kelly*, Company "F," 2d Cavalry.

CHARGE I.—"Violation of the 6th Article of War."

Specification.—"In this; that he, Private *Edward Kelly*, Company 'F,' 2d U. S. Cavalry, did use contemptuous, disrespectful and obscene language to his Commanding Officer, 2d Lieutenant W. S. Long, 7th U. S. Infantry, he, Lieutenant Long, being in the execution of his office This at or near the town of Bozeman, M. T., on or about the 22d day of January, 1874."

CHARGE II.—"Violation of the 9th Article of War."

Specification I.—"In this; that he, Private *Edward Kelly*, Company 'F,' 2d U. S. Cavalry, having been ordered by his Commanding

Officer, 2d Lieutenant W. S. Long, 7th Infantry, to leave the town of Bozeman, M. T., and go to the post of Fort Ellis, M. T., did disobey said order. This at or near the town of Bozeman, M. T., on or about the 22d day of January, 1874."

Specification II.—"In this: that he, Private *Edward Kelly*, Company 'F,' 2d U. S. Cavalry, did repeatedly strike with his fist, his superior officer, 2d Lieutenant W. S. Long, 7th U. S. Infantry, said Lieutenant Long being at the time in the execution of his office. This at or near Bozeman, M. T., on or about the 22d day of January, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Kelly*, Company "F," 2d Cavalry, "*To forfeit all pay and allowances now due*

or that may become due, except the just dues of the laundress, and to be confined at hard labor, for the period of two years, in such military prison as the Department Commander may direct, and then to be dishonorably discharged the service."

2d. Private *Horace M. Gray,* Company "A," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this; that he, Private *Horace M. Gray,* Company 'A,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Ellis, M. T., on the 8th day of January, 1874, and remain absent until apprehended at Auburn's Ranch, M. T., on the 11th day of January, 1874."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this; that he, Private *Horace M. Gray,* Company 'A,' 7th Infantry, did steal, take and carry away, the following articles, the property of the United States, and for which 1st Lieutenant C. A. Coolidge, 7th Infantry, Commanding Company 'A,' is responsible: ten (10) rounds centre primed metallic cartridges. money value $0.60 cents; one (1) screw-driver, money value $0.30 cents; one (1) letter 'A,' money value $0.01 cent; one (1) bugle, money value $0.03 cents; one (1) eagle, money value $0.03 cents. This at or near Fort Ellis, M. T., on or about the 8th day January, 1874."

CHARGE III.—"Violation of the 38th Article of War."

Specification.—"In this; that he, Private *Horace M. Gray,* Company 'A,' 7th Infantry, having been regularly issued by his Company Commander, 1st Lieutenant C. A. Coolidge, 7th Infantry, one (1) U. S. regulation overcoat, on or about the 8th day of October, 1873, did sell, illegally dispose of, or lose through neglect, the said overcoat, during the time between the date of issue, as above, and the 25th day of December, 1873. This at or near Fort Ellis, M. T., on or about the dates above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Guilty, except the words, 'sell,' 'illegally dispose of,' and 'through neglect.'"
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE III.

Of the *Specification*, "Guilty, except the words, 'sell,' 'illegally dispose of,' and 'through neglect,' and of the excepted words, Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Horace M. Gray*, Company "A," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due, except the just dues of the laundress, and to be confined in the post guard-house, for the period of two*

(2) *years at hard labor, wearing a twelve* (12) *pound ball attached to his left leg by a chain six* (6) *feet long.*"

3d. Private *Charles Whalen*, Company "A," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this; that he, Private *Charles Whalen*, Company 'A,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Ellis, M. T., on the 8th day of January, 1874, and remain absent until apprehended at Auburn's Ranch, M. T., on the 11th day of January, 1874."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this; that he, Private *Charles Whalen*, Company 'A,' 7th Infantry, did steal, take, and carry away, the following articles, the property of the United States, and for which 1st Lieutenant C. A. Coolidge, 7th Infantry, Commanding Company 'A,' is responsible, viz.: Ten (10) rounds centre primed metallic cartridges, money value 60 cents; one (1) letter 'A,' money value 1 cent; one (1) screw-driver, money value 30 cents; one (1) eagle, money value 3 cents; one (1) bugle, money value 3 cents. This at or near Fort Ellis, M. T., on or about the 8th day of January, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Whalen*, Company "A," 7th Infantry, "*To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, and to be confined at hard labor under charge of the guard, for the period of two* (2) *years, wearing a twelve* (12) *pound ball attached to his left leg by a chain four* (4) *feet long.*"

4th. Private *Peter Jokeim*, Company "F," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this; that he, Private *Peter Jokeim*, Company 'F,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Sanders, W. T., on or about the 20th day of August, 1873, and did remain absent until apprehended at Cheyenne City, W. T., on or about the 27th day of August, 1873."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty, but Guilty of absence without leave."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Peter Jokeim*, Company "F," 2d Cavalry.

5th. Private *John Smith*, Company "G," 2d Cavalry, alias Private *Peter Paule*, Company "D," 4th Cavalry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Private *John Smith*, Company 'G,' 2d Cavalry, alias Private *Peter Paule*, Company 'D,' 4th Cavalry, having received a mounted pass to visit Bozeman, M. T., did get drunk, and abuse his horse in the most shameful manner by over-riding him. This at Fort Ellis, M. T., January 26th, 1874."

Specification II.—"In this; that he, Private *John Smith*, Company 'G,' 2d Cavalry, alias Private *Peter Paule*, Company 'D,' 4th Cavalry, having been ordered by Sergeant Asher Davey, Company 'G,' 2d Cavalry—he, Sergeant Davey acting under the orders of his Company Commander, 2d Lieutenant E. J. McClernand, 2d Cavalry—to rub his (*Smith's*, alias *Paule's*) horse dry, did reply, 'I will be God damned if I do.' This at Fort Ellis, M. T., January 26th, 1874."

CHARGE II.—"Violation of the 9th Article of War."

Specification.—"In this; that he, Private *John Smith*, Company 'G,' 2d Cavalry, alias Private *Peter Paule*, Company 'D,' 4th Cavalry, having been three times ordered by his Company Commander, 2d Lieutenant E. J. McClernand, 2d Cavalry, (he Lieutenant McClernand being in the execution of his office,) to take some hay and rub his (*Smith's*, alias *Paule's*) horse dry, did refuse and fail to obey said orders. This at Fort Ellis, M. T., January 26th, 1874."

CHARGE III.—"Violation of the 6th Article of War."

Specification I.—"In this; that he, Private *John Smith*, Company 'G,' 2d Cavalry, alias Private *Peter Paule*, Company 'D,' 4th Cav-

alry, having been ordered by his Company Commander, 2d Lieutenant E. J. McClernand, 2d Cavalry, to rub his (*Smith's*, alias *Paule's*) horse dry, did say, 'God damn him, I won't do it.' This remark being made within the hearing of Lieutenant McClernand, and referring to him. This at Fort Ellis, M. T., January 26, 1874."

Specification II.—"In this; that he, Private *John Smith*, Company 'G,' 2d Cavalry, alias Private *Peter Paule*, Company 'D,' 4th Cavalry, hearing his Company Commander, 2d Lieutenant E. J. McClernand, 2d Cavalry, order Sergeant Asher Davey, Company 'G,' 2d Cavalry, to take care of a saddle blanket under his (*Smith's*, alias *Paule's*) arm, did say to Lieutenant McClernand, in a disrespectful manner: 'This blanket will be attended to, you need not mind.' This at Fort Ellis, M. T., January 26, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE III.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

CHARGE III.

Of the 1st *Specification*,	"Guilty."
Of the 2d *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Smith*, Company "G," 2d Cavalry, alias Private *Peter Paule*, Company "D," 4th Cavalry, "*To be confined at hard labor under charge of the guard at the post where his company may be serving, for the period of one year, and to forfeit all pay and allowances for the same period.*"

II...The proceedings, findings and sentence in the foregoing case of Private *Edward Kelly*, Company "F," 2d Cavalry, are approved, and the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement, which will be considered as commencing February 22d, 1874.

The proceedings, findings and sentence in the foregoing case of Private *Horace M. Gray*, Company "A," 7th Infantry, are approved, except so much of the latter as relates to the wearing of a ball and chain. The sentence as approved, will be duly executed. The post where his company may be serving is designated as the place of confinement, which will be considered as commencing February 11th, 1874.

The proceedings and findings in the foregoing case of Private *Charles Whalen*, Company "A," 7th Infantry, are approved. The sentence, except so much thereof as relates to the wearing of a ball and chain, is also approved, but is mitigated to forfeiture of all pay and allowances now due, except the amount due the laundress, and confinement at hard labor in charge of the guard, for twenty months, with forfeiture of ten (10) dollars per month of his monthly pay, for the same period. As thus mitigated the sentence will be duly executed at the post where his company may be serving.

The proceedings and findings in the foregoing case of Private *Peter Jokeim*, Company "F," 2d Cavalry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings, findings and sentence in the foregoing case of Private *John Smith*, Company "G," 2d Cavalry, alias Private *Peter Paule*, Company "D," 4th Cavalry, are approved. The sentence is mitigated to forfeiture of ten (10) dollars per month of his monthly pay, for one (1) year, and confinement at hard labor in charge of the guard, for the period of nine (9) months. As thus mitigated the sentence will be duly executed at the post where his company may be serving.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

Private *James Clancey*, Company "B," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 19th, 1874.

GENERAL ORDERS No. 38.

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph II, Special Orders No. 59, current series, from these Headquarters, and of which Captain C. A. WEBB, 22d Infantry, is President, was arraigned and tried:—

Private *James Clancey*, Company "B," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Private *James Clancey*, Company 'B,' 22d Infantry, having asked of Private Charles Miller, Company 'B,' 22d Infantry, the loan of a sum of money, and being refused the same, did thereupon, and without cause or provocation, use improper and provoking language towards the said Private Charles Miller, Company 'B,' 22d Infantry, saying: 'You are a God damned old Dutch son-of-a-b——,' or words to that effect. This at Fort Randall, D. T., on or about the 9th day of March, 1874."

Specification II.—"In this; that he, the said Private *James Clancey*, Company 'B,' 22d Infantry, did without cause or provocation, assault

Private Charles Miller, Company 'B,' 22d Infantry, and did strike and bite him, and with his teeth lacerate, maim, and inflict serious injury upon the right ear of Private Charles Miller, Company 'B,' 22d Infantry, nearly severing a portion of the same; necessitating thereby immediate surgical attendance, and the admission of the said Private Charles Miller, Company 'B,' 22d Infantry, to the post hospital, for medical treatment. This at Fort Randall, D. T., on or about the 9th day of March, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Clancey*, Company "B," 22d Infantry, "*To be confined in such military prison as the Department Commander may direct, for the period of one* (1) *year; and to forfeit to the United States all pay and allowances that are or may become due him; and then to be dishonorably discharged the service of the United States.*"

II...The proceedings, findings and sentence in the foregoing case of Private *James Clancey*, Company "B," 22d Infantry, are approved, and the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement.

III...The General Court Martial which convened at Fort Randall,

D. T., by virtue of paragraph II, Special Orders No. 59, current series, from these Headquarters, and of which Captain C. A. WEBB, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *James Jennings*, Company "A," 20th Infantry.
2. Private *Michael Brown*, Company "I," 5th Artillery.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 20th, 1874.

GENERAL ORDERS No. 39.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 256, series of 1873, from these Headquarters, and of which Lieutenant Colonel W. P. CARLIN, 17th Infantry, is President, were arraigned and tried:—

1st. Private *James Jennings*, Company "A," 20th Infantry.

CHARGE I.—"Violation of the 44th Article of War."

Specification.—"In this; that he, Private *James Jennings*, Company 'A,' 20th Infantry, having been regularly detailed and warned for guard, did fail to parade with the guard detail of his company, and did absent himself from the place of parade without permission from proper authority. This at Fort Seward, D. T., on or about the 17th day of February, 1874."

CHARGE II.—"Absence without leave."

Specification.—"In this; that he, Private *James Jennings*, Company 'A,' 20th Infantry, did absent himself from his company and post, without permission from proper authority, from 10 A. M., March 17th, 1874, and remain absent until arrested and brought back

by the Sergeant of the guard, at 12 M., March 18th, 1874. This at Fort Seward, D. T., on or about the dates above specified."

CHARGE III.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Private *James Jennings*, Company 'A,' 20th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Fort Seward, D. T., on or about the 23d day of January, 1874."

Specification II.—"In this; that he, Private *James Jennings*, Company 'A,' 20th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Fort Seward, D. T., on or about the 29th day of January, 1874."

Specification III.—"In this; that he, Private *James Jennings*, Company 'A,' 20th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Fort Seward, D. T., on or about the 31st day of January, 1874."

Specification IV.—"In this; that he, Private *James Jennings*, Company 'A,' 20th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Fort Seward, D. T., on or about the 28th day of February, 1874."

Specification V.—"In this; that he, Private *James Jennings*, Company 'A,' 20th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Fort Seward, D. T., on or about the 18th day of March, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE III.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the 3d *Specification*, "Guilty."
To the 4th *Specification*, "Guilty."
To the 5th *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the 4th *Specification*, "Guilty."
Of the 5th *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Jennings*, Company 'A,' 20th Infantry, "*To be dishonorably discharged from the service of the United States.*"

2d. Private *Michael Brown*, Company "I," 5th Artillery.

CHARGE I.—"Desertion."

Specification I.—"In; that he, Private *Michael Brown*, Company 'I,'

5th Artillery, a duly enlisted soldier in the service of the United States, did desert said service at Fort Trumbull, Connecticut, on the 30th day of June, 1871, and did remain absent until apprehended at Boston, Massachusetts, on the 7th day of August, 1871; $30.00 reward being paid for his apprehension. All this at the places and on the dates above specified."

Specification II.—"In; that he, Private *Michael Brown*, Company 'I,' 5th Artillery, a duly enlisted soldier in the service of the United States, did desert said service at Fort Independence, Boston Harbor, Massachusetts, on the 16th of August, 1871, and did remain absent until the 29th of November, 1873, when he surrendered himself at Fort Abraham Lincoln, D. T., as a deserter from the aforesaid company and regiment, under provisions of General Orders No. 102, War Department, series of 1873; he being at the time of his surrender a prisoner in confinement awaiting trial by General Court Martial, and therefore not entitled to the benefit of the provisions of General Orders No. 102, War Department, series of 1873. All this at the places and on the dates above specified."

CHARGE II.—"Violation of the 22d Article of War."

Specification.—"In; that he, Private *Michael Brown*, Company 'I,' 5th Artillery, a duly enlisted soldier in the service of the United States, did desert said service at Fort Independence, Boston Harbor, Massachusetts, on the 16th of August, 1871, and did enlist himself in the mounted service of the United States, under the name of Michael Bryant, at New York City, on the 15th of January, 1872, and was duly assigned to Company 'A,' 7th Cavalry, by competent authority, without a regular discharge from the company and regiment in which he last served. All this at New York City, New York, on the 15th day of January, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Guilty."

To the 2d *Specification*, "Guilty, except of the words and figures, '29th of November;' and substituting therefor the words and figures, '18th of November;' and to the excepted words, Not Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Brown*, Company "I," 5th Artillery, "*To forfeit to the United States all pay and allowances now due or that may become due, and to be dishonorably discharged from the service, and to be confined thereafter at such military prison as the Department Commander may designate, for the period of three* (3) *years.*"

II...The proceedings, findings and sentence in the foregoing case of Private *James Jennings*, Company "A," 20th Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings and sentence in the foregoing case of Private *Michael Brown*, Company "I," 5th Artillery, are approved. Upon the recommendation of the Court the sentence is remitted. He will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 256, series of 1873, from these Headquarters, and of which Lieutenant Colonel W. P. CARLIN, 17th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *John Devine*, Company "K," 7th Infantry.
2. Private *Edward Mahoney*, Company "I," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 21*st*, 1874.

GENERAL ORDERS No. 40.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 51, current series, from these Headquarters, and of which Captain CONSTANT WILLIAMS, 7th Infantry, is President, were arraigned and tried:—

1st. Private *John Devine*, Company "K," 7th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this; that Private *John Devine*, Company 'K,' 7th Infantry, being a member of the post guard, did go to the laundress's quarters of Company 'K,' 7th Infantry, and did then and there create a disturbance, by engaging in a personal altercation with Robert Johnson, an officer's servant. This at Fort Shaw, Montana Territory, on or about the 4th day of February, 1874."

Specification II.—"In this: that Private *John Devine*, Company 'K,' 7th Infantry, did assault, beat, and otherwise maltreat Robert Johnson, an officer's servant, without just cause or provocation,

in the quarters of Mrs. Glass, a laundress of Company 'K,' 7th Infantry. This at Fort Shaw, Montana Territory, on or about the 4th day of February, 1874."

Specification III.—"In this; that Private *John Devine*, Company 'K,' 7th Infantry, did aid and abet with one Private Edward Mahoney, Company 'I,' 7th Infantry, in inflicting one or more stabs with a knife, or other sharp instrument, upon the person of Robert Johnson, an officer's servant. This at Fort Shaw, Montana Territory, on or about the 4th day of February, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *John Devine*, Private, Company "K," 7th Infantry, "*To be confined at hard labor under charge of the guard, until the 8th day of October*, 1874, *the expiration of his term of enlistment, and to forfeit to the United States, six dollars* ($6.00) *of his monthly pay, per month, during the said period of confinement; then to be dishonorably discharged from the military service of the United States.*"

2d. Private *Edward Mahoney*, Company "I," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Edward Mahoney*, Company 'I,' 7th Infantry, did, without just cause or provocation, maliciously assault and stab one Robert Johnson, an officer's servant, in the face and head with a knife, or other sharp instrument, thereby inflicting severe cuts. All this at Fort Shaw, Montana Territory, on or about the 4th day of February, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the word 'severe;' of the excepted word, Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Mahoney*, Company "I," 7th Infantry, "*To be confined at hard labor in charge of the guard, for a period of twelve* (12) *months; to forfeit to the United States* ($10.00) *ten dollars per month of his monthly pay for the same period; and then to be dishonorably discharged from the military service of the United States.*"

II...The proceedings, findings and sentence in the foregoing case of Private *John Devine*, Company "K," 7th Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings and sentence in the foregoing case of Private *Edward Mahoney*, Company "I," 7th Infantry, are approved. So much of the sentence as relates to confinement and forfeiture of pay, is mitigated to confinement at hard labor in charge of the guard, for eight

(8) months, with forfeiture of ten (10) dollars per month of his monthly pay, for the same period. As thus mitigated the sentence will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Francis McCaffrey*, Company "D," 7th Infantry.
2. Private *James Clark*, Company "C," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., May 22d, 1874.

GENERAL ORDERS No. 41.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 51, current series, from these Headquarters, and of which Captain J. M. J. SANNO, 7th Infantry, is President, were arraigned and tried:—

1st. Private *Francis McCaffrey*, Company "D," 7th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In; that he, Private *Francis McCaffrey*, Company 'D,' 7th Infantry, having been duly detailed as a member of the post guard, did appear in ranks at guard-mounting, so much under the influence of intoxicating liquor as to be unable to properly perform his duties. This at Fort Shaw, M. T., on the 8th day of February, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Francis McCaffrey*, Company "D," 7th Infantry, "*To be confined at hard labor in charge of the post guard, for the period of two* (2) *months. The Court is thus lenient in consideration of the old age, general good character, and long service of the accused.*"

2d. Private *James Clark*, Company "C," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this; that he, Private *James Clark*, Company 'C,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Shaw, M. T., on or about the 30th day of January, 1874, and did remain absent until apprehended at or near Helena, M. T., on or about February 15th, 1874."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this; that he, Private *James Clark*, Company 'C,' 7th Infantry, did feloniously take, steal, and carry away from the company quarters, and appropriate to his own use, the following named ordnance and ordnance stores, the property of the United States, and for which Captain D. W. Benham, 7th Infantry, is responsible, viz.: One (1) Springfield, B. L. musket, cal. .50, model 1868, of the value of fifty (50) dollars; one (1) gun-sling (70), of the value of thirty-four (34) cents; one (1) screw-driver, of the value of thirty-eight (38) cents; two (2) valise straps, of the value of twenty-seven (27) cents; two (2) great-coat straps, of the value of twenty-seven (27) cents; and forty (40) rounds C. P. metallic cartridges, of the value of two (2) dollars and forty (40) cents. This at Fort Shaw, M. T., on or about the 30th of January, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE. I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Clark*, Company "C," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged and drummed out of the service of the United States; and then to be confined in such penitentiary as the Department Commander may designate, until July 3d*, 1876."

II...The proceedings, findings and sentence in the foregoing case of Private *Francis McCaffrey*, Company "D," 7th Infantry, are approved, and the sentence will be duly executed.

In the foregoing case of Private *James Clark*, Company "C," 7th Infantry, the proceedings and findings upon the first charge, are approved. The findings upon the second charge and its specifications are disapproved, for the reason that no testimony whatever was adduced connect-

ing the accused with the alleged larceny. So much of the sentence as provides for confinement in the penitentiary, is disapproved, such confinement for the crime of desertion being expressly prohibited by law. The remainder of the sentence is approved, but is mitigated, however, to forfeiture of all pay and allowances due Private *Clark* at the date of this order, and ten (10) dollars per month of his monthly pay, for the period of six (6) months. As thus mitigated the sentence will be duly executed. Private *Clark* will be released from confinement and restored to duty.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Frederick Eck*, Band, 17th Infantry.
2. Private *George W. Mathews*, Company "B," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 23*d*, 1874.

GENERAL ORDERS No. 42.

I...Before a General Court Martial which convened at Fort Abercrombie, D. T., by virtue of paragraph I, Special Orders No. 41, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, were arraigned and tried:—

1st. Private *Frederick Eck*, Band, 17th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In; that Private *Frederick Eck*, Band, 17th Infantry, did violate the order of his Commanding Officer, published in words and figures as follows:

'HEADQUARTERS, FORT ABERCROMBIE, D. T.,
November 8, 1873.

'GENERAL ORDERS No. 28.

'All enlisted men, except Indian scouts, are prohibited to cross the Red River without a written pass from the Commanding Officer, or from the Commanding Officer of their respective companies.

'BY ORDER OF COLONEL CRITTENDEN.

'(Signed,) 'H. S. HOWE,
1st Lieutenant, 17th Infantry,
'*Acting Post Adjutant.*'

by crossing the Red River and visiting McCauleyville, Minn. This at Fort Abercrombie, D. T., on or about March 17, 1874."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification.—"In; that Private *Frederick Eck*, Band, 17th Infantry, being ordered to assist in certain police work around the quarters of the band, by Chief Musician Rudolph Ritter, 17th Infantry, in the proper discharge of his duty, did reply in an insulting refractory tone, that he wanted credit on the fatigue roster for the work, or he 'would not do it,' or words to that effect. And upon being told to do as he was ordered by said Chief Musician Ritter, did reiterate his refusal to obey, unless he received credit for a fatigue; and coming so near to said Chief Musician Ritter as to spit in his face, necessitating the said Ritter to push him, *Eck*, away; did exclaim boisterously and insultingly, 'Now I've got you, I was waiting for you to use violence, I've laid for you, watched you, and now I am going to shove you, I will not shut my mouth for you, and I want you to put me in the guard-house;' or words to that effect. This at Fort Abercrombie, D. T., on or about March 20th, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Frederick Eck*, Band, 17th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *per month of his monthly pay, for three* (3) *months, and to be confined at hard labor in charge of the guard, at the post where the Band, 17th Infantry, may be serving, for the same period.*"

2d. Private *George W. Mathews*, Company "B," 17th Infantry.

CHARGE.—"Desertion."

Specification.—"In this; that he, Private *George W. Mathews*, Company 'B,' 17th Infantry, a duly enlisted soldier in the service of the United States, did desert the said service at Fort Wadsworth, D. T., on or about March 27, 1874, and did remain absent until apprehended at or near Sissiton Agency, D. T., on or about March 28, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, except the words, 'did desert the said service;' and of the excepted words, Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'did desert the said service;' and of the excepted words, Not Guilty."
Of the CHARGE, "Not Guilty, but Guilty of absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private *George W. Mathews*, Company "B," 17th Infantry, "*To forfeit to the United*

States ten dollars (\$10.00) *per month of his monthly pay, for the period of three* (3) *months, and to be confined at hard labor in charge of the guard at the post where his company may be serving, for one month.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Frederick Eck*, Band, and *George W. Mathews*, Company "B," 17th Infantry, are approved, and the sentences will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

HEADQUARTERS DEPARTMENT OF DAKOTA.

Saint Paul, Minn., May 28, 1874

GENERAL ORDERS, }
No. 43. }

Hereafter, during the session of any General Court Martial or Court of Inquiry, convened by orders from these headquarters, the members, any officer appearing as counsel and all commissioned officers and enlisted men appearing as witnesses, will wear the full uniform of their respective grades as prescribed by the Regulations of the Army.

The Judge Advocate will wear the undress uniform of his grade.

The accused will appear in full uniform, but without side arms.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

Private *William Fetter*, Company "H," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 5th, 1874.

GENERAL ORDERS No. 44.

I...Before a General Court Martial which convened at Fort Stevenson, D. T., by virtue of paragraph II, Special Orders No. 83, current series, from these Headquarters, and of which Lieutenant Colonel DANIEL HUSTON, JR., 6th Infantry, is President, was arraigned and tried:—

Private *William Fetter*, Company "H," 6th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In; that Private *William Fetter*, Company 'H,' 6th Infantry, being duly detailed in the Subsistence Department, and under the orders of 1st Lieutenant E. B. Atwood, 6th Infantry, A. C. S., it being his duty to assist in receiving, issuing, selling and accounting for subsistence stores, did permit a deficiency in subsistence stores to occur, amounting to four hundred and thirty-three dollars ($433.00,) more or less. This at Fort Stevenson, D. T., between the 1st of September, 1872, and the 9th of February, 1873."

Specification II.—"In; that the said Private *William Fetter*, Company 'H,' 6th Infantry, by falsehood, misrepresentation and altering the figures of the stock taken, did deceive 1st Lieutenant E. B.

Atwood, 6th Infantry, A. C. S., as to the quantity of subsistence stores on hand. This at Fort Stevenson, D. T., between the 1st of September, 1872, and the 9th of February, 1873."

Specification III.—"In; that the said Private *William Fetter*, Company 'H,' 6th Infantry, being ordered by 1st Lieutenant E. B. Atwood, 6th Infantry, A. C. S., to keep an accurate account of subsistence stores removed from the different storehouses to the issue room during the month, this to enable the A. C. S. the more readily to verify the stores on hand from time to time, did fail to obey said order, and did remove said stores to the issue room not keeping account of same; this with the evident intent to deceive. This at Fort Stevenson, D. T., between the 31st of January and the 9th of February, 1873."

Specification IV.—"In; that the said Private *William Fetter*, Company 'H,' 6th Infantry, being ordered by 1st Lieutenant E. B. Atwood, 6th Infantry, A. C. S., to accompany Corporal Edward A. Finley, Company 'K,' 6th Infantry, to verify certain stores, the weights of the same taken by the A. C. S., 1st Lieutenant E. B. Atwood, 6th Infantry, having been altered by an unauthorized person to make it appear that there was more subsistence than actually existed, did misrepresent, and attempt to deceive the said Corporal Finley, attempting to make it appear that there was a greater quantity of tea in a certain chest than there actually was; he, Private *William Fetter*, knowing at the same time his statement to the said Corporal to be false. This at Fort Stevenson, D. T., on or about the 9th of February, 1873."

Specification V.—"In; that the said Private *William Fetter*, Company 'H,' 6th Infantry, being present while a Board of Survey was taking an account of the shortage in the Subsistence Department, did fail to inform the A. C. S. on the Board, that a certain quantity of the subsistence remaining in the commissary which the Board took an account of, belonged to one of the companies and to other parties at the post; which fact was not known until the Board had taken an account of the shortage, and the stores were called for by the owners of the same. This with the evident

intent to deceive. This at Fort Stevenson, D. T., between the 9th and 16th of February, 1873."

Specification VI.—"In; that the said Private *William Fetter*, Company 'H,' 6th Infantry, being asked by 1st Lieutenant E. B. Atwood, 6th Infantry, A. C. S., if any more subsistence stores remained in the commissary belonging to parties who had not taken the same out, replied that there was none; he at the same time knowing such statement to be false. This at Fort Stevenson, D. T., on or about the 17th of February, 1873."

Specification VII.—"In; that the said Private *William Fetter*, Company 'H,' 6th Infantry, did sell certain articles of subsistence upon the order of 2d Lieutenant C. L. Gurley, 6th Infantry, for which he received the sum of two and 64–100 dollars ($2.64–100,) which sum the said Private *Fetter* has not turned over to the A. C. S. This at Fort Stevenson, D. T., on or about the 18th of January, 1873."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Not Guilty."
To the 5th *Specification*, "Not Guilty."
To the 6th *Specification*, "Not Guilty."
To the 7th *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the 3d *Specification*, "Not Guilty."
Of the 4th *Specification*, "Not Guilty."
Of the 5th *Specification*, "Not Guilty."

Of the 6th *Specification*, "Not Guilty."

Of the 7th *Specification*, "Find the facts as set forth in the specification, but attach no criminality thereto."

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *William Fetter*, Company "H," 6th Infantry.

II...The proceedings and findings in the foregoing case of Private *William Fetter*, Company "H," 6th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

III...The General Court Martial which convened at Fort Stevenson, D. T., by virtue of paragraph II, Special Orders No. 83, current series, from these Headquarters, and of which Lieutenant Colonel DANIEL HUSTON, JR., 6th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

Corporal *John Burns*, Company "I," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 17th, 1874.

GENERAL ORDERS No. 45.

I...Before a General Court Martial which convened at Fort Totten, D. T., by virtue of paragraph II, Special Orders No. 240, series of 1873, from these Headquarters, and of which Captain WILLIAM FLETCHER, 20th Infantry, is President, was arraigned and tried:—

Corporal *John Burns*, Company "I," 7th Cavalry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In; that he, Corporal *John Burns*, Company 'I,' 7th Cavalry, upon being ordered by Sergeant James Bustard, Company 'I,' 7th Cavalry, to give up the broom in his squad-room, for the purpose of sweeping away the snow in front of the Company quarters, did refuse to obey such order, and did reply, 'The broom belongs here, and you cannot have it,' or words to that effect. This at Fort Totten, D. T., on or about the 15th day of February, 1874."

Specification II.—"In; that he, Corporal *John Burns*, Company 'I,' 7th Cavalry, did, in the presence of enlisted men of his squad-room, offer personal violence to Sergeant James Bustard, Company 'I,' 7th Cavalry, by striking him in the face with his fist. This at Fort Totten, D. T., on or about the 15th day of February, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *John Burns*, Company "I," 7th Cavalry, "*To be reduced to the ranks, and to forfeit ten* (10) *dollars of his monthly pay, for three* (3) *months.*"

II...The proceedings, findings and sentence in the foregoing case of Corporal *John Burns*, Company "I," 7th Cavalry, are approved, and the sentence will be duly executed. He will be released from arrest and restored to duty as a private.

III...The General Court Martial which convened at Fort Totten, D. T., by virtue of paragraph II, Special Orders No. 240, series of 1873, from these Headquarters, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *Hiram W. Sager*, Company "B," 7th Cavalry.
2. Private *Duncan T. Maloney*, Company "B," 7th Cavalry.
3. Private *Ansgorius Boren*, Company "B," 7th Cavalry.
4. Sergeant *Henry Klute*, Company "E," 7th Cavalry.
5. Private *Peter Foberg*, Company "G," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 18th, 1874.

GENERAL ORDERS No. 46.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 85, current series, from these Headquarters, and of which Captain WILLIAM THOMPSON, 7th Cavalry, is President, were arraigned and tried:—

1st. Private *Hiram W. Sager*, Company "B," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In; that he, Private *Hiram W. Sager*, Campany 'B,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Abraham Lincoln, D. T., on April 6, 1874, and did remain so absent until apprehended near Jamestown, D. T., and returned to Fort Abraham Lincoln, D. T., on April 14, 1874. This at the places, and on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Hiram W. Sager*, Company "B," 7th Cavalry, "*To forfeit all pay and allowances due or that may become due, except the just dues of the laundress, to be dishonorably discharged the service, and to be confined for the period of four years in such military prison as the proper authorities may designate.*"

2d. Private *Duncan T. Maloney*, Company 'B,' 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In; that he, Private *Duncan T. Maloney*, Company 'B,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Abraham Lincoln, D. T., on April 6th, 1874, and did remain so absent until apprehended near Jamestown, D. T., and returned to Fort Abraham Lincoln, D. T., on April 14, 1874. This at the places and on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Duncan T. Maloney*, Company "B," 7th Cavalry, "*To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, to be dishonorably discharged the service of the United States, and to be confined in such military prison, for the period of four years, as the proper authorities may designate.*"

3d. Private *Ansgorius Boren*, Company "B," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In; that he, Private *Ansgorius Boren*, Company 'B,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Abraham Lincoln, D. T., on April 6th, 1874, and did remain so absent until apprehended near Jamestown, D. T., and returned to Fort Abraham Lincoln, D. T., on April 14th, 1874. This at the places and on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Ansgorius Boren*, Company "B," 7th Cavalry, "*To forfeit to the United States all pay and allowances that are or may become due, to be dishonorably discharged the service of the United States, and to be confined for the period of four years in such military prison as the proper authorities may designate.*"

4th. Sergeant *Henry Klute*, Company "E," 7th Cavalry.

CHARGE I.—"Violation of the 45th Article of War."

Specification I.—"In; that he, Sergeant *Henry Klute*, Company 'E,' 7th Cavalry, was so much intoxicated on mounted drill, on the afternoon of April 8th, 1874, as to be unable properly to perform his duties as Sergeant. This at or near Fort A. Lincoln, D. T., on or about the 8th day of April, 1874."

Specification II.—"In; that he, Sergeant *Henry Klute*, Company 'E,' 7th Cavalry, was so much intoxicated at afternoon stables on April 8th, 1874, as to be unable to perform his duties as Sergeant. This at or near Fort A. Lincoln, D. T., on or about the 8th day of April, 1874."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In; that he, Sergeant *Henry Klute*, Company 'E,' 7th Cavalry, on afternoon of April 8th, 1874, did enter the company quarters of 'E' Company, 7th Cavalry, in a drunken condition, and did behave in an unseemly and boisterous manner."

Specification II.—"In; that he, Sergeant *Henry Klute*, Company 'E,' 7th Cavalry, having entered the quarters of his company in a drunken condition, did exclaim in a loud and violent manner, 'I can lick that Dutch son-of-a-b——, Hahmeyer,' meaning 1st Sergeant Frederick Hahmeyer, Company 'E,' 7th Cavalry. This at or near Fort A. Lincoln, D. T., on or about the 8th day of April, 1874."

Specification III.—"In; that he, Sergeant *Henry Klute*, Company 'E,' 7th Cavalry, having been ordered to his quarters in arrest, did cause a disturbance in said quarters by striking at Private Martin D. Downs, Company 'E,' 7th Cavalry, drawing or attempting to draw a sabre on him, and firing his revolver at him. All this at or near Fort A. Lincoln, D. T., on or about the 8th day of April, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Henry Klute*, Company "E," 7th Cavalry, "*To be reduced to the rank of a private soldier, and to forfeit to the U. S. ten dollars of his monthly pay, for two* (2) *months.*"

5th. Private *Peter Foberg*, Company "G," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In; that Private *Peter Foberg*, Company 'G,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same on the seventh day of April, 1874, and did remain absent until brought back to his post by a guard on the fourteenth day of April, 1874. This at Fort Abraham Lincoln, D. T., on or about the dates specified."

To which charge and specification the accused pleaded as follows:

To the *Specification.* "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Peter Foberg*, Private, Company "G," 7th Cavalry, "*To be dishonorably discharged the service of the United States; to forfeit all pay and allowances due or that may become due, except the just dues of the laundress, and to be confined in such military prison as the proper authorities may designate, for the period of four years.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Hiram W. Sager*, *Duncan T. Maloney* and *Ansgorius Boren*, Company "B," and *Peter Foberg*, Company "G," 7th Cavalry, are approved. The sentences are modified so as to make the dishonorable discharge take effect at the expiration of their respective terms of confinement, which is mitigated to two (2) years in each case. As thus modified and mitigated the sentences will be duly executed. The post where their companies may be serving is designated as the place of confinement.

The proceedings, findings and sentence in the foregoing case of Sergeant *Henry Klute*, Company "E," 7th Cavalry, are approved, and the

sentence will be duly executed. He will be released from arrest and restored to duty as a private.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

Private *Henry Schultze*, Company "E," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 27th, 1874.

GENERAL ORDERS No. 47.

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 53, current series, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, was arraigned and tried:—

Private *Henry Schultze*, Company "E," 22d Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this; that Private *Henry Schultze*, Company 'E,' 22d Infantry, did disobey the following post order, to-wit:

'HEADQUARTERS, FORT SULLY, D. T.,

October 1st, 1867.

'GENERAL ORDERS No. 28.

Extract.

'I...All officers and soldiers of this command, citizens and Indians on the reserve, are prohibited from putting out poison, in any form, within a limit of ten (10) miles from this post.

'BY ORDER OF BVT. MAJOR GENERAL D. S. STANLEY,

'*Colonel, 22d Infantry, Commanding Post.*

'(Signed,) 'J. P. WALKER,

'*2d Lieutenant, 22d Infantry,*

'*Post Adjutant.*'

by placing strychnine at various and numerous places near the post of Fort Sully, D. T. This in or about the months of November and December, 1873, and January and February, 1874."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this; that Private *Henry Schultze*, Company 'E,' 22d Infantry, did poison four (4) valuable greyhounds, value fifty dollars ($50.00) each, belonging to the officers of the 22d Infantry. This at Fort Sully, D. T., in the months of January and February, 1874."

Specification II.—"In this; that Private *Henry Schultze*, Company 'E,' 22d Infantry, did poison one (1) imported Scotch deer-hound, value one hundred and fifty dollars ($150.00), belonging to Captain E. P. Pearson, 17th Infantry. This at Fort Sully, D. T., on or about the 8th day of March, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Schultze*, Company "E," 22d Infantry, "*To forfeit to the United States all pay and allowances now due or to become due, and to be dishonorably discharged and drummed out of the service.*"

II...In the foregoing case of Private *Henry Schultze*, Company 'E,' 22d Infantry, the proceedings are disapproved. It appears from the records that the accused submitted an objection to a member of the Court, on the grounds that on the evening of arrest "he called me a son-of-a-b——, and a miserable wretch." The challenged member made no statement in explanation, and the objection was over-ruled. Subsequently the challenged member testified for the prosecution, his evidence mainly consisting of his reasons for believing the accused guilty. Private *Schultze* will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 53, current series from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Commissary Sergeant *William Roberts*, U. S. Army.
2. Private *John M. McIntyre*, Company "D," 22d Infantry.
3. Private *Farrell McNulty*, Company "B," 22d Infantry.
4. Private *William C. Myers*, Company "B," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 29th, 1874.

GENERAL ORDERS No. 48.

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph I, Special Orders No. 108, current series, from these Headquarters, and of which Captain C. A. WEBB, 22d Infantry, is President, were arraigned and tried:—

1st. Commissary Sergeant *William Roberts*, U. S. Army.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In this; that he, Commissary Sergeant *William Roberts*, U. S. Army, was in such an intoxicated condition as to be unable to perform his duties as Commissary Sergeant. This at the military station of Lower Brulé Agency, D. T., on the 30th day of April, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Commissary Sergeant *William Roberts*, U. S. A., "*To forfeit to the United States* (10) *dollars of his monthly pay, for two months.*"

2d. Private *John M. McIntyre*, Company "D," 22d Infantry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In this; that he, Private *John M. McIntyre*, Company 'D,' 22d Infantry, having been duly mounted as supernumerary of the post guard, did become so much under the influence of liquor as to be unable to properly perform his duties. This at Fort Randall, D. T., on or about the 25th day of May, 1874."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specificatiom.—"In this; that he, Private *John M. McIntyre*, Company 'D,' 22d Infantry, while being a prisoner under the charge of the post guard did attempt to make his escape from same. This at Fort Randall, D. T., on or about the 25th day of May, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John M. McIntyre*, Company "D," 22d Infantry, "*To be confined at hard labor under charge of the guard at the post where his company may be serving for the period of three* (3) *calendar months, and to forfeit ten* (10) *dollars per month of his monthly pay, for the same period.*"

3d. Private *Farrell McNulty*, Company "B," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Private *Farrell McNulty*, Company 'B,' 22d Infantry, did enter the mess-room of his company, and without permission or authority attempt to carry therefrom, a bowl, the same being a part of the mess furniture of his company; and when remonstrated with for so doing by Private William Beetles, Company 'B,' 22d Infantry, in the performance of his duty in charge of said mess-room, did use threatening and abusive language towards the said Private William Beetles, Company 'B,' 22d Infantry, saying, 'You d——d English son-of-a-b——, and you've got a fine English head on you, and it wont be long before I put an Irish head on you,' or words to that effect. This at Fort Randall, D. T., on or about the 26th day of May, 1874."

Specification II.—"In this; that he, Private *Farrell McNulty*, Company 'B,' 22d Infantry, did approach Private William Beetles, Company 'B,' 22d Infantry, and without cause or provocation assault and repeatedly strike him, the said Private William Beetles,

Company 'B,' 22d Infantry, and upon being asked by Sergeant C. Everett Lee, Company 'B,' 22d Infantry, why he so struck Private Beetles, did reply, 'just for fun,' or words to that effect. This at Fort Randall, D. T., on or about the 26th day of May, 1874."

Specification III.—"In this; that he, the said Private *Farrell McNulty*, Company 'B,' 22d Infantry, being ordered by Sergeant C. Everett Lee, Company 'B,' 22d Infantry, in the execution of his duty, to proceed with him as a prisoner, to the post guard-house, did refuse and fail to obey said order. This at Fort Randall, D. T., on or about the 26th day of May, 1874."

Specification IV.—"In this; that he, the said Private *Farrell McNulty*, Company 'B,' 22d Infantry, did, during the absence of Sergeant C. Everett Lee, Company 'B,' 22d Infantry, from the company quarters, in the execution of his duty, procuring the assistance of the post guard to effect the said Private *McNulty's* arrest, without permission or authority, take and willfully and maliciously destroy two (2) violin bows, the property of the said Sergeant C. Everett Lee, Company 'B,' 22d Infantry, and of Musician Charles Ramsey, Company 'D,' 22d Infantry. This at Fort Randall, D. T., on or about the 26th day of May, 1874."

Specification V.—"In this; that he, the said Private *Farrell McNulty*, Company 'B,' 22d Infantry, upon being ordered by 1st Sergeant Jabez S. Smith, Company 'B,' 22d Infantry, in the execution of his office and upon proper authority, to proceed with him as a prisoner to the post guard-house, did refuse and fail to obey said order, saying, 'I wont go, and if you think you can take me there, just you pitch in,' or words to that effect; and did persist in his refusal to obey said order until assistance had been procured from the post guard in effecting his arrest. This at Fort Randall, D. T., on or about the 26th day of May, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Guilty."

To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Not Guilty."
To the 5th *Specification*, "Not Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the 4th *Specification*, "Not Guilty."
Of the 5th *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Farrell McNulty*, Company "B," 22d Infantry, "*To be confined at hard labor under charge of the guard where his company may be serving, for six* (6) *months, and to forfeit* $8.00 *of his monthly pay per month, for same period.*"

4th. Private *William C. Myers*, Company "B," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Private *William C. Myers*, Company 'B,' 22d Infantry, did attempt to create a disturbance in the quarters of his company, by endeavoring to induce Private Farrell McNulty, Company 'B,' 22d Infantry, to strike Private Morris Flatau, Company 'B,' 22d Infantry, saying, 'Hit him, Mac; if you don't hit him I will,' or words to that effect; the said Private Morris Flatau being in the performance of his duty as room-orderly, and endeavoring to prevent the wanton destruction of property of enlisted men. This at Fort Randall, D. T., on or about the 26th day of May, 1874."

Specification II.—"In this; that he, the said Private *William C. Myers*, Company 'B,' 22d Infantry, did, without cause or provocation,

repeatedly assault and strike with his fist Private Morris Flatau, Company 'B,' 22d Infantry, the said Private Flatau being at the time in the performance of his duty as room-orderly. This at Fort Randall, D. T., on or about the 26th day of May, 1874."

Specification III.—"In this; that he, the said Private *William C. Myers*, Company 'B,' 22d Infantry, being ordered by 1st Sergeant Jabez S. Smith, Company 'B,' 22d Infantry, upon proper authority, and in the execution of his office, to proceed to the post guard-house as a prisoner in the custody of Corporal Louis Rushstein, Company 'B,' 22d Infantry, did refuse and fail to obey said order, necessitating the assistance of the post guard in effecting his arrest. This at Fort Randall, D. T., on or about the 26th day of May, 1874."

Specification IV.—"In this; that he, the said Private *William C. Myers*, Company 'B,' 22d Infantry, did intercept, and without cause or provocation, assault and strike Private Morris Flatau, Company 'B,' 22d Infantry, the said Private Flatau being at the time in the performance of his duty, returning from the post guard-house, where he had been sent by the 1st Sergeant of his company to procure the assistance of the post guard. This at Fort Randall, D. T., on or about the 26th day of May, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Not Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."

Of the 4th *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William C. Myers*, Company "B," 22d Infantry, "*To be confined at hard labor, under charge of the post guard, at the station of his company, for two* (2) *months, and to forfeit five dollars* ($5.00) *per month of his monthly pay for the same period. The Court is thus lenient in its sentence on account of the previous good character of the accused.*"

II...The proceedings, findings, and sentences in the foregoing cases of Commissary Sergeant *William Roberts*, U. S. Army, Privates *Farrell McNulty*, Company "B," and *John M. McIntyre*, Company "D," 22d Infantry, are approved, and the sentences will be duly executed. Commissary Sergeant *Roberts* will be released from arrest and restored to duty.

The proceedings, findings, and sentence in the foregoing case of Private *William C. Myers*, Company "D," 22d Infantry, are approved. So much of the sentence as relates to confinement, is remitted. As thus mitigated, the sentence will be duly executed. He will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph I, Special Orders No. 108, current series, from these Headquarters, and of which Captain C. A. WEBB, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Edward Bagley*, Company "C," 7th Cavalry.
2. Private *Charles A. Steck*, Company "C," 7th Cavalry.
3. Private *August Wetterling*, Company "M," 7th Cavalry.
4. Private *Mat. Davenport*, Company "K," 7th Cavalry.
5. Private *Dudley Sacklett*, Company "K," 7th Cavalry.
6. Private *John Corcoran*, Company "C," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., July 2d, 1874.

GENERAL ORDERS No. 49.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 2, current series, from these Headquarters, and of which Major J. G. TILFORD, 7th Cavalry, is President, were arraigned and tried:—

1st. Private *Edward Bagley*, Company "C," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In; that Private *Edward Bagley*, Company 'C,' 7th Cavalry, a duly enlisted soldier in the service of the U. S., did desert said service on or about March 7th, 1874, and did remain absent until apprehended and brought back under guard, on or about March 11th, 1874. This at Fort Rice, D. T., on or about the dates above mentioned."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Bagley*, Company "C," 7th Cavalry, "*To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, and to be confined in such military prison as the Commanding General may direct, for the period of two (2) years, at the expiration of said time to be dishonorably discharged the service of the United States.*"

2d. Private *Charles A. Steck*, Company "C," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In this; that Private *Charles A. Steck, Company* 'C,' 7th Cavalry, having been duly enlisted in the service of the United States, on the 15th day of September, 1873, did (on or about the 6th day of April, 1874,) desert said service, and did remain absent until apprehended at or near Jamestown, D. T., April 10, 1874. This at or near Fort Rice, D. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles A. Steck*, Company "C," 7th Cavalry, "*To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, and to be confined in such military prison as the Commanding General may direct, for the period of two (2) years, at the expiration of said time to be dishonorably discharged the service of the United States.*"

3d. Private *August Wetterling*, Company "M," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In this; that Private *August Wetterling*, Company 'M,' 7th Cavalry, having been duly enlisted in the service of the United States, did desert the same. This at or near Fort Rice, D. T., and on or about the 5th day of April, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *August Wetterling*, Company "M," 7th Cavalry, "*To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, and to be confined in such military prison as the Commanding General may direct, for the period of two (2) years, at the expiration of said time to be dishonorably discharged the service of the United States.*"

4th. Private *Mat. Davenport*, Company "K," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In; that Private *Mat. Davenport*, Company 'K,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert said service on or about March 7th, 1874, and did remain absent until apprehended and brought back under guard on or about March 11th, 1874. This at Fort Rice, D. T., on or about the dates above mentioned."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Mat. Davenport*, Company "K," 7th Cavalry, "*To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, and to be confined in such military prison as the Commanding General may direct, for the period of two (2) years, at the expiration of this time to be dishonorably discharged the service of the United States.*"

5th. Private *Dudley Sacklett*, Company "K," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In this; that he, Private *Dudley Sacklett*, Company 'K,' 7th Cavalry, a duly enlisted soldier in the service of the U. S., did, while a prisoner in the post guard-house, break out of said guard-house and desert the service of the U. S. on or about March 7th, 1874, and did remain absent until apprehended by Sergeant Charles White, Company 'M,' 7th Cavalry. This at Fort Rice, D. T., on or about March 7th, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'and did desert the service of the U. S.,' and of the excepted words, Not Guilty."
Of the CHARGE, "Not Guilty of desertion, but Guilty of conduct to the prejudice of good order and military discipline."

SENTENCE.

And the Court does therefore sentence him, Private *Dudley Sacklett*, Company "K," 7th Cavalry, "*To be confined at hard labor in charge of the guard, for the period of six* (6) *months, and to forfeit ten* (10) *dollars of his monthly pay, for the same period.*"

6th. Private *John Corcoran*, Company "C," 7th Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that Private *John Corcoran*, Company 'C,' 7th Cavalry, did create a noise and disturbance in the company quarters after taps, on the night of March 17th, 1874, in disobedience of existing orders, and when ordered by Sergeant Deford to keep quiet, did not obey said order."

Specification II.—"In this; that Private *John Corcoran*, Company 'C,' 7th Cavalry, did create a noise and disturbance in the company kitchen, on the morning of March 18th, 1874, and when ordered to keep quiet by Sergeant Deford, did refuse to obey said order. This at Fort Rice, D. T., on or about the dates above specified."

Specification III.—"In this; that Private *John Corcoran*, Company 'C,' 7th Cavalry, did, when Sergeant Deford ordered him to the guard-house, resist and strike the said Sergeant, the Sergeant being in the execution of his duties. This at Fort Rice, D. T., on or about the 18th day of March, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Corcoran*, Company "C," 7th Cavalry, "*To forfeit to the U. S. the sum of ten* (10) *dollars of his pay, for two* (2) *months.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Edward Bagley*, Company "C," and *Mat. Davenport*, Company "K," 7th Cavalry, are approved, and the sentences—which will be considered in each case as commencing April 11th, 1874—will be duly executed. The post where their companies may be serving is designated as the place of confinement.

The proceedings, findings and sentences in the foregoing cases of Privates *Charles A. Steck*, Company "C," and *August Wetterling*, Company "M," 7th Cavalry, are approved, and the sentences—which will be considered in each case as commencing May 10th, 1874—will be duly executed. The post where their companies may be serving is designated as the place of confinement.

The proceedings in the foregoing case of Private *Dudley Sacklett*, Company "K," 7th Cavalry, are approved. The findings and sentence are disapproved. At the date when the prisoner escaped from confinement, he was in confinement awaiting the promulgation of his sen-

tence, and the testimony in the case clearly establishes the charge of desertion. While sentences take effect from the date of their promulgation, yet prisoners cannot be considered as undergoing the punishments they provide until after the orders of promulgation are received at the posts where they are confined. In the present case the sentence of the prisoner was promulgated from these Headquarters by an order bearing the same date he deserted.

The proceedings, findings and sentence in the foregoing case of Private *John Corcoran*, Company "C," 7th Cavalry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

G. C. M.

1. Private *James S. Duggan*, Company "B," 6th Infantry.
2. Hospital Steward *Paul Schulz*, U. S. Army.
3. Private *Thomas Banes*, Company "G," 7th Cavalry.
4. Private *John J. Thomas*, Company "A," 7th Cavalry.
5. Private *George Goldstein*, Company "A," 6th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 11th, 1874.

GENERAL ORDERS No. 50.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 85, current series, from these Headquarters, and of which Captain WILLIAM THOMPSON, 7th Cavalry, is President, were arraigned and tried:—

1st. Private *James S. Duggan*, Company "B," 6th Infantry.

CHARGE I.—"Violation of the 21st Article of War."

Specification.—"In this; that he, Private *James S. Duggan*, Company 'B,' 6th Infantry, did absent himself from his company, without leave from his Commanding Officer. This at Fort Abraham Lincoln, D. T., on or about the 21st and 22d days of April, 1874."

CHARGE II.—"Violation of the 44th Article of War."

Specification I.—"In this; that he, Private *James S. Duggan*, Company 'B,' 6th Infantry, did fail to repair to the place of exercise fixed by his Commanding Officer. This at Fort Abraham Lincoln, D. T., on or about the afternoon of April 21st, 1874."

Specification II.—"In this; that he, Private *James S. Duggan*, Company 'B,' 6th Infantry, did fail to repair to the place of exercise fixed by his Commanding Officer. This at Fort Abraham Lincoln, D. T., on or about the forenoon of April 22d, 1874."

CHARGE III.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Private *James S. Duggan*, Company 'B,' 6th Infantry, did violently resist Sergeant Solomon Savage, Company 'B,' 6th Infantry, while he, the said Sergeant was in the execution of his office. This at Bismarck, D. T., on or about the afternoon of April 22d, 1874."

Specification II.—"In this; that he, Private *James S. Duggan*, Company 'B,' 6th Infantry, did strike Sergeant Solomon Savage, Company 'B,' 6th Infantry, while he, the said Sergeant was in the execution of his office. This at Bismarck, D. T., on or about the afternoon of April 22d, 1874."

Specification III.—"In this; that he, Private *James S. Duggan*, Company 'B,' 6th Infantry, did say to Sergeant Solomon Savage, Company 'B,' 6th Infantry: 'Keep away, I'll blow your brains out;' this while he, the said Sergeant, was in the execution of his office. This at Bismarck, D. T., on or about the afternoon of April 22d, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Guilty."

CHARGE III.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE. I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James S. Duggan*, Company "B," 6th Infantry, "*To forfeit to the United States all pay due or that may become due, except the just dues of the laundress, and to be dishonorably discharged the service of the United States.*"

2d. Hospital Steward *Paul Schulz*, U. S. Army.

CHARGE I.—"Drunkenness on duty, in violation of the 45th Article of War."

Specification.—"In this; that he, Hospital Steward *Paul Schulz*, U. S. A., being duly on duty at dispensary, Cavalry barracks, Fort A.

Lincoln, D. T., was drunk and incapacitated for the proper performance of his duty on the 9th, 10th, 11th, 12th and 13th days of April, 1874."

CHARGE II.—"Neglect of duty, to the prejudice of good order and military discipline, being in violation of the 99th Article of War."

Specification.—"In this; that he, Hospital Steward *Paul Schulz*, U. S. A., being on duty in dispensary, did so neglect his duty as to allow the Dispensary to become decidedly dirty and filthy, much to the prejudice of good order and military discipline. All this on or about the 12th day of April, 1874, at Fort A. Lincoln, D. T."

CHARGE III.—"Disobedience of orders."

Specification I.—"In this; that he, Hospital Steward *Paul Schulz*, U. S. A., having received an order from A. A. Surgeon F. A. Davis, U. S. Army, at Fort A. Lincoln, D. T., under whose orders he was on duty, to have the dispensary at Cavalry barracks properly cleaned on the morning of the 13th of April, 1874, did disobey said order. This at dispensary, Cavalry barracks, Fort A. Lincoln, D. T., on or about the 13th day of April, 1874."

Specification II.—"In this; that he, Hospital Steward *Paul Schulz*, U. S. A., being on duty in the Hospital Department, Fort A. Lincoln, D. T., having received an order from A. A. Surgeon John La-Baree, U. S. A., Post Surgeon, Fort A. Lincoln, D. T., to report immediately to him, did absolutely refuse, saying, 'Tell Dr. La-Baree, I will not go,' and did fail to comply with said order. All this on or about April 13th, 1874, at Fort A. Lincoln, D. T."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE III.

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," *Paul Schulz*, Hospital Steward, U. S. A.

3d. Private *Thomas Banes*, Company "G," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In; that Private *Thomas Banes*, Company 'G,' 7th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same on the 8th day of April, 1874, and did remain absent until brought back to his post by a guard on the fourteenth day of April, 1874. This at Fort Abraham Lincoln, D. T., on or about the dates specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Banes*, Company "G," 7th Cavalry, "*To forfeit to the United States all pay now due or to become due, except the just dues of the laundress, to be dishonorably discharged the service of the United States, and to be confined at hard labor, for the period of four years, in such military prison as the proper authorities may designate.*"

4th. Private *John J. Thomas*, Company "A," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In this; that Private *John J. Thomas*, Company 'A,' 7th Cavalry, a duly enlisted soldier in the military service of the United States, did desert said service at Fort A. Lincoln, D. T., on the 9th of April, 1874, and did remain absent until apprehended near Jamestown, D. T., on or about the 12th of April, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John J. Thomas*, Company "A," 7th Cavalry, "*To forfeit to the United States all pay now due or to become due, except the just dues of the laundress, to be dishonorably discharged the service, and to be confined at hard labor, for the period of four years, at such military prison as the proper authorities may designate.*"

5th. Private *George Goldstein*, Company "A," 6th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Private *George Goldstein*, Company 'A,' 6th Infantry, when ordered by Corporal Charles Johnson, Company 'A,' 6th Infantry, in charge of a police party, to pick up an old bag from the ground and place it in the rubbish pile, did fail to obey said order, and did say to Corporal Johnson, 'I will not do it,' or words to that effect. This at Fort Abraham Lincoln, D. T., May 9, 1874."

Specification II.—"In this; that he, Private *George Goldstein*, Company 'A,' 6th Infantry, when asked by 1st Sergeant Harry Hudson, Company 'A,' 6th Infantry, why he did not obey Corporal Johnson, Company 'A,' 6th Infantry, did say in an insolent manner, 'I would not do it for you either.' This at Fort Abraham Lincoln, D. T., May 9, 1874."

Specification III.—"In this; that he, Private *George Goldstein*, Company 'A,' 6th Infantry, while on the way to the guard-house with Corporal Charles Johnson, Company 'A,' 6th Infantry, did turn to said Corporal Johnson, and in a threatening manner use the following language, to-wit: 'I have been run by you long enough, and I will not stand it any longer. I can lick you or Sergeant Hudson at any time,' and then and there did strike the said Cor-

poral Johnson a violent blow in the face. This at Fort Abraham Lincoln, D. T., May 9, 1874."

Specification IV.—"In this; that he, Private *George Goldstein*, Company 'A,' 6th Infantry, while on his way to the guard-house in charge of Corporal Johnson, Company 'A,' 6th Infantry, did abuse said Corporal by calling him opprobrious names, and did say, 'I will get square with you when I get out; I will lie and wait for you,' or words to that effect. This at Fort Abraham Lincoln, D. T., May 9, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the 4th *Specification*, "Guilty, except the words, 'did abuse said Corporal Johnson, Company 'A,' 6th Infantry, by calling him opprobrious names,' and of the excepted words, Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Goldstein*, Company "A," 6th Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay, for the period of five* (5) *months, and to be confined at hard labor in charge of a guard, for the period of four* (4) *months.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *James S. Duggan*, Company "B," and *George Goldstein*, Com-

pany "A," 6th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the foregoing case of Hospital Steward *Paul Schulz*, U. S. A., are approved. Orders have already been issued for his release from arrest and restoration to duty.

The proceedings, findings and sentence in the foregoing case of Private *Thomas Banes*, Company "G," 7th Cavalry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement, which is mitigated to three (3) years. As thus modified and mitigated the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement.

The proceedings, findings and sentence in the foregoing case of Private *John J. Thomas*, Company "A," 7th Cavalry, are approved. In view of the fact that the Court recommend clemency, and in consideration of the prisoner's good character previous to his desertion, the sentence is mitigated to confinement at hard labor under charge of the guard at the post where his company may be serving, for one (1) year, with forfeiture of his pay for the same period. As thus mitigated the sentence will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

G. C. M.

1. Private *Peter Eisenhart*, Company "M," 7th Cavalry.
2. Private *Emmett Barr*, Company "H," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., July 16th, 1874.

GENERAL ORDERS No. 51.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 2, current series, from these Headquarters, and of which Major J. G. TILFORD, 7th Cavalry, is President, were arraigned and tried:—

1st. Private *Peter Eisenhart*, Company "M," 7th Cavalry.

CHARGE I.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this; that Private *Peter Eisenhart*, of Company 'M,' 7th U. S. Cavalry, did steal the following named articles of government property, pertaining to Company 'M,' 7th Cavalry, and for which Captain T. H. French, 7th Cavalry, is responsible: One (1) Sharp's improved carbine, cal. .50, (price $50.00); one (1) sabre belt and plate, ($1.86), one (1) sling belt and swivel, ($1.86), forty (40) rounds of metallic cartridges, cal. .50, ($2.40), one screw-driver, (35 cents), one (1) thong and brush wipe, (37 cents.) This at or near Fort Rice, D. T., and on or about the 5th day of April, 1874."

CHARGE II.—"Desertion."

Specification.—"In this; that Private *Peter Eisenhart*, of Company 'M,' 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same. This at or near Fort Rice, D. T., and on or about the 5th day of April, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, except the words, 'one (1) screw-driver, (35 cents); one (1) thong and brush wipe, (37 cents);' and of the excepted words, Not Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Peter Eisenhart*, Company "M," 7th Cavalry, "*To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, and to be confined in such military prison as the Commanding General may direct, for the period of three* (3) *years, at the expiration of said time to be dishonorably discharged the service of the United States.*"

2d. Private *Emmett Barr*, Company "H," 7th Cavalry.

CHARGE.—"Desertion."

Specification.—"In; that Private *Emmett Barr*, Company 'H,' 7th Cavalry, a duly enlisted soldier in the service of the U. S., did desert said service on or about March 7th, 1874, and did remain absent until apprehended and brought back under guard on or about March 11th, 1874. This at Fort Rice, D. T., on or about the dates above mentioned."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Emmett Barr*, Company "H," 7th Cavalry, "*To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, and to be confined in such military prison as the Commanding General may direct, for the period of two* (2) *years, at the expiration of that time to be dishonorably discharged the service of the United States.*"

II...In the foregoing case of Private *Peter Eisenhart*, Company "M," 7th Cavalry, the findings under the first charge and its specification, are disapproved, as, in the opinion of the Department Commander, the testimony elicited fails to support the charge of larceny. The proceedings and sentence, together with the remainder of the findings, are approved. So much of the sentence as relates to confinement is mitigated to two years, and as thus mitigated the sentence will be duly executed.

The post where his company may be serving is designated as the place of confinement."

The proceedings, findings and sentence in the foregoing case of Private *Emmett Barr*, Company "H," 7th Cavalry, are approved, and the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Peter Eisenhart*, Company "M," 7th Cavalry.
2. Private *August Wetterling*, Company "M," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 17th, 1874.

GENERAL ORDERS No. 52.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 2, current series, from these Headquarters, and of which Major J. G. TILFORD, 7th Cavalry, is President, were arraigned and tried:—

1st. Private *Peter Eisenhart*, Company "M," 7th Cavalry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this; that he, Private *Peter Eisenhart*, Company 'M,' 7th Cavalry, while on duty as assistant post baker at Fort Rice, D. T., did steal, take, and carry away, about six hundred (600) pounds of flour, the property of the U. S., and for which Captain J. W. Williams, Assistant Surgeon, U. S. A., and post treasurer, is responsible. This at Fort Rice, D. T., on or about April 5th, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Peter Eisenhart*, Company "M," 7th Cavalry.

2d. Private *August Wetterling*, Company "M," 7th Cavalry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In; that he, Private *August Wetterling*, Company 'M,' 7th Cavalry, while on duty as post baker at Fort Rice, D. T., did steal, take, and carry away about six hundred (600) pounds of flour, the property of the U. S., and for which Captain J. W. Williams, Assistant Surgeon, U. S. A., and post treasurer, is responsible. This at Fort Rice, D. T., on or about April 5th, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *August Wetterling*, Company "M," 7th Cavalry.

II...The proceedings and findings in the foregoing cases, are approved. Privates *Eisenhart* and *Wetterling* will be continued in con-

finement, they having—by a previous trial before the same Court—been convicted of desertion and sentenced to a term of imprisonment.

III...The General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 2, current series, from these Headquarters, and of which Major J. G. TILFORD, 7th Cavalry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Charles A. Ellis*, Company "E," 7th Cavalry.
2. Private *John Willse*, Company "F," 7th Cavalry.
3. Private *Richard P. Hanley*, Company "C," 7th Cavalry.
4. Private *Theodore T. Roth*, Company "K," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 18th, 1874.

GENERAL ORDERS No. 53.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 85, current series, from these Headquarters, and of which Captain WILLIAM THOMPSON, 7th Cavalry, is President, were arraigned and tried:—

1st. Private *Charles A. Ellis*, Company "E," 7th Cavalry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In; that he, Private *Charles A. Ellis*, Company 'E,' 7th Cavalry, on the afternoon of June 23d, 1874, did endeavor to provoke a disturbance with Private Joseph Metzdorf, 'E' Company, 7th Cavalry, when he, Private Metzdorf, in the lawful execution of his duty, ordered him away from the tent in which the company rations were stored, threatening him and saying, 'Well, if I can't whip you, I can kill you,' or words to that effect."

Specification II.—"In; that he, Private *Charles A. Ellis*, Company 'E,' 7th Cavalry, did appropriate, or cause to be taken from Private George Williams, Company 'E,' 7th Cavalry, without his, Pri-

vate Williams' consent, a sheath-knife, and concealing it on his person, did return to the company wagon with the deliberate intention of murderously attacking Private Metzdorf, Company 'E,' 7th Cavalry. This at camp near Fort A. Lincoln, D. T., on or about the 23d day of June, 1874."

Specification III.—"In; that he, Private *Charles A. Ellis*, Company 'E,' 7th Cavalry, did stab Private Joseph Metzdorf, Company 'E,' 7th Cavalry, without cause or provocation, in five (5) or six (6) different places, thereby inflicting dangerous and nearly fatal wounds. All this at camp near Fort A. Lincoln, D. T., on or about the 23d day of June, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*,	"Not Guilty."
To the 2d *Specification*,	"Not Guilty."
To the 3d *Specification*,	"Not Guilty."
To the CHARGE,	"Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*,	"Guilty."
Of the 2d *Specification*,	"Guilty."
Of the 3d *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles A. Ellis*, Company "E," 7th Cavalry, "*To forfeit to the United States all pay now due or that may become due, to be dishonorably discharged from the service, and to be confined thereafter at hard labor, wearing a twenty pound ball attached to his left leg by a chain six feet long, at such military prison as the Department Commander may designate, for the period of eight* (8) *years.*"

2d. Private *John Willse*, Company "F," 7th Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In; that Private *John Willse*, Company 'F,' 7th Cavalry, formerly lance corporal, and in charge of the company kitchen and mess, and responsible for the care and preservation of the rations issued to, and belonging to Company 'F,' 7th Cavalry, did, without permission from proper authority, appropriate and carry away from the kitchen pantry, (40) forty pounds of sugar (more or less,) the same having been issued as rations to Company 'F,' 7th Cavalry, during the month of April, 1874, and did dispose of the said sugar at the post trader's store at Fort A. Lincoln, D. T., on or about the 17th day of April, 1874. This to the great loss and detriment of Company 'F,' 7th Cavalry. This at Fort A. Lincoln, D. T., on or about the dates above specified."

Specification II.—"In; that Private *John Willse*, Company 'F,' 7th Cavalry, formerly lance corporal, and in charge of company kitchen and mess, and responsible for the care and preservation of the rations issued to and belonging to Company 'F,' 7th Cavalry, when asked by his Company Commander, Captain George W. Yates, 7th Cavalry, between the 25th and 30th of April, 1874, how much savings he had accumulated during the month, did reply, 'I have saved as much this month as I did last month;' meaning to convey the impression to Captain George W. Yates, 7th Cavalry, that he had saved rations amounting to about forty-four dollars ($44.00), the amount saved during the month of March, 1874, which statement was false, and was known to be false by him, the said Private *John Willse*, Company 'F,' 7th Cavalry, formerly lance corporal, and made with intent to deceive his Company Commander, Captain George W. Yates, 7th Cavalry. This at Fort Lincoln, D. T., on or about the dates above specified."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," the said Private *John Willse*, Company "F," 7th Cavalry.

3d. Private *Richard P. Hanley*, Company "C," 7th Cavalry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In this; that he, Private *Richard P. Hanley*, Company 'C,' 7th Cavalry, having been duly posted as a sentinel of the company stable guard, was found asleep on his post, by the officer of the day, between the hours of 2 and 3 P. M. This at Fort Rice, D. T., on May 21st, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Richard P. Hanley*, Company "C," 7th Cavalry, "*To forfeit to the United States ten*

dollars per month of his monthly pay, for four (4) *months, and to be confined at hard labor under charge of the guard, for the same period.*"

4th. Private *Theodore T. Roth*, Company "K," 7th Cavalry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In this; that he, Private *Theodore T. Roth*, Company 'K,' 7th Cavalry, having been duly posted as a sentinel of the 'K' Company stable guard, was found sleeping on his post by the officer of the day, between the hours of 2 and 3 P. M. This at Fort Rice, D. T., on May 21st, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," the said Private *Theodore T. Roth*, Company "K," 7th Cavalry.

II...The proceedings and findings in the foregoing case of Private *John Willse*, Company "F," 7th Cavalry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings in the foregoing cases of Privates *Richard P. Hanley*, Company "C," and *Theodore T. Roth*, Company "K," 7th Cavalry, are disapproved. These cases were referred to the Court for trial by the Commanding Officer at Fort Abraham Lincoln, D. T., by authority of the Department Commander. The record shows that in so referring them, the Post Commander directed the Court to sit without regard to

hours; an order not within his power to legally issue. The Court having transacted its business outside of the legal hours its proceedings are void. An official copy of the instructions from these Headquarters should have been furnished to the Court, and made matter of record. Private *Hanley* will be released from confinement and restored to duty. In the case of Private *Roth*, orders from these Headquarters, directing his release from confinement, have already been issued.

The proceedings, findings and sentence in the foregoing case of Private *Charles A. Ellis*, Company "E," 7th Cavalry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *George W. Lidell*, Company "A," 7th Infantry.
2. Private *Joseph R. Boling*, Company "F," 2d Cavalry.
3. Private *James Miller*, Company "L," 2d Cavalry.
4. Trumpeter *George A. Davis*, Company "F," 2d Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., July 20th, 1874.

GENERAL ORDERS No. 54.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph II, Special Orders No. 54, and paragraphs I and II, Special Orders No. 75, current series, from these Headquarters, and of which Major N. B. SWEITZER, 2d Cavalry, is President, were arraigned and tried:—

1st. Private *George W. Lidell*, Company "A," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this; that Private *George W. Lidell*, Company 'A,' 7th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about April 5, 1874, and did remain so absent until apprehended at or near Madison Bridge, Montana Territory, on or about April 7th, 1874. This at Fort Ellis, M. T., on or about April 5th, 1874."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this; that Private *George W. Lidell*, Company 'A,' 7th Infantry, did, on April 5th, 1874, feloniously take, steal and

carry away, and appropriate to his own use: One (1) Springfield, B. L. R. musket, model 1868, one (1) gun-sling, one (1) screw-driver, and thirty (30) metallic ball cartridges, amounting in value to fifty-two dollars and seventy-eight cents ($52.78), the property of the United States, and for which 1st Lieutenant Charles A. Coolidge, 7th U. S. Infantry, is responsible. All this at or near Fort Ellis, M. T., on or about April 5th, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George W. Lidell*, Company "A," 7th Infantry, "*To be dishonorably discharged the service of the United States, and to forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, and to be confined in such penitentiary as the Department Commander may direct, for the period of three* (3) *years.*"

2d. Private *Joseph R. Boling*, Company "F," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this; that Private *Joseph R. Boling*, Company 'F,' 2d U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert said service on the 3d day of April, 1874, and did remain absent until apprehended at Cockrill's Bridge, M. T., April 4, 1874. This at or near Fort Ellis, M. T., on dates above specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this; that Private *Joseph R. Boling*, Company 'F,' 2d U. S. Cavalry, a duly enlisted soldier in the service of the United States, did feloniously take, steal, and carry away for his own use and benefit: One (1) horse, one (1) saddle, one (1) saddle blanket, and one (1) bridle, the property of the United States, and for which Captain George L. Tyler, 2d U. S. Cavalry, was responsible. This at or near Fort Ellis, M. T., on or about the 3d day of April, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Joseph R. Boling*, Company "F," 2d Cavalry, "*To be dishonorably discharged the service of the United States, and to forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, and to be confined in such penitentiary as the Department Commander may direct, for the period of three* (3) *years.*"

3d. Private *James Miller*, Company "L," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this; that he, Private *James Miller*, Company 'L,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 20th day of November, 1873, and did remain absent until apprehended in the town of Bozeman, M. T., on or about the 21st day of November, 1873. All this at or near Fort Ellis, M. T., on or about the dates specified."

CHARGE II.—"Violation of the 50th Article of War."

Specification.—"In this; that he, Private *James Miller*, Company 'L,' 2d Cavalry, having been duly mounted as a member of the post guard, did quit his guard without proper authority. This at Fort Ellis, M. T., on the 20th day of November, 1873."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, except the words, 'desert,' and 'apprehended,' substituting therefor the words, 'absent himself from,' and 'arrested,' and of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty, but guilty of 'absence without leave.'"

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Miller*, Company "L," 2d Cavalry, "*To be confined at hard labor in charge of the guard, for the period of one year, and to forfeit ten dollars per month of his monthly pay, for the same period.*"

4th. Trumpeter *George A. Davis*, Company "F," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In; that *George A. Davis*, Trumpeter, Company 'F,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert said service, and remain absent until apprehended near Madison Bridge, M. T., on the 27th day of May, 1874. This at Fort Ellis, M. T., on the 24th day of May, 1874."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In; that *George A. Davis*, Trumpeter, Company 'F,' 2d Cavalry, did feloniously take, steal and carry away for his own use and benefit: One (1) Sharp's carbine, one (1) service belt, and seventeen (17) rounds centre fire metallic cartridges,

cal. .50, the property of the United States, and for which Captain George L. Tyler, 2d Cavalry, is responsible. This on or about the 24th day of May, 1874, at or near Fort Ellis, M. T."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Trumpeter *George A. Davis*, Company "F," 2d Cavalry, "*To forfeit to the United States all pay and allowances now due or that may become due, except the just dues of the laundress, to be dishonorably discharged the service, and then to be confined in such penitentiary as the Department Commander may direct, for the period of three* (3) *years.*"

II...The proceedings, findings and sentences in the foregoing cases of Private *George W. Lidell*, Company "A," 7th Infantry, and Trumpeter *George A. Davis*, Company "F," 2d Cavalry, are approved, and the sentences will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of confinement.

In the foregoing case of Private *Joseph R. Boling*, Company "F," 2d Cavalry, the proceedings are approved. In the opinion of the reviewing officer, the evidence leaves room for a reasonable doubt of the guilt of the accused, and to the benefit of this doubt the accused is entitled. The findings and sentence are therefore disapproved. Private *Boling* will be released from confinement and restored to duty.

The proceedings, findings and sentence in the foregoing case of Private *James Miller*, Company "L," 2d Cavalry, are approved. In view of the length of time he has been in custody, the sentence is mitigated to confinement under charge of the guard, at the post where his company may be serving, for six (6) months, with forfeiture of ten dollars ($10.00) per month of his monthly pay, for the same period. As thus mitigated the sentence will be duly executed.

III...The General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph II, Special Orders No. 54, and paragraphs I and II, Special Orders No. 75, current series, from these Headquarters, and of which Major N. B. Sweitzer, 2d Cavalry, is President, is hereby dissolved.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *James Lynch*, Company "B," 7th Infantry.
2. Private *William McClellan*, Company "B," 7th Infantry.
3. Private *Franklin Beck*, Company "G," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., July 21st, 1874.

GENERAL ORDERS No. 55.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 51, current series, from these Headquarters, and of which Captain D. W. BENHAM, 7th Infantry, is President, were arraigned and tried:—

1st. Private *James Lynch*, Company "B," 7th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In; that Private *James Lynch*, Company 'B,' 7th Infantry, having been regularly mounted as a member of the post guard, did become so much under the influence of intoxicating liquor as to render him unfit to perform his duty. This at Fort Benton, M. T., on the 15th day of April, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Lynch*, Company "B," 7th Infantry, "*To be confined at hard labor under charge of the post guard, for the period of two* (2) *months, and to forfeit to the United States ten* (10) *dollars per month of his monthly pay, for the same period.*"

2d. Private *William McClellan*, Company "B," 7th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In; that Private *William McClellan*, Company 'B,' 7th Infantry, having been regularly mounted as a member of the post guard, did become so much under the influence of intoxicating liquor as to render him unfit to perform his duty. This at Fort Benton, M. T., on the 23d day of April, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William McClellan*, Company "B," 7th Infantry, "*To be confined at hard labor under charge of the guard, for the period of two* (2) *months, and to forfeit to the United States ten* (10) *dollars per month of his monthly pay, for the same period.*"

3d. Private *Franklin Beck*, Company "G," 7th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In; that he, Private *Franklin Beck*, Company 'G,' 7th Infantry, became drunk, and did conduct himself in a riotous and disorderly manner. This at Fort Shaw, M. T., on the 4th day of May, 1874."

Specification II.—"In; that he, Private *Franklin Beck*, Company 'G,' 7th Infantry, did maliciously and without provocation, assault and brutally and severely beat and otherwise maltreat an Indian visiting the post, thereby inflicting a severe wound on his head, and causing other bodily injuries. This at Fort Shaw, M. T., on the 4th of May, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Franklin Beck*, Company "G," 7th Infantry, "*To be confined at hard labor under charge of the post guard, for the period of three* (3) *months, and to forfeit to the United States ten dollars* ($10.00) *per month of his monthly pay, for the same period.*"

II...The proceedings, findings and sentence in the foregoing case of Private *James Lynch*, Company "B," 7th Infantry, are approved. So much of the sentence as relates to confinement is remitted. As thus

mitigated the sentence will be duly executed. He will be released from confinement and restored to duty.

The proceedings, findings and sentence in the foregoing case of Private *William McClellan*, Company "B," 7th Infantry, are approved. In view of the length of time he has been held in custody, so much of the sentence as relates to confinement is remitted. As thus mitigated, the sentence will be duly executed. Private *McClellan* will be released from confinement and restored to duty.

The proceedings, findings and sentence in the foregoing case of Private *Franklin Beck*, Company "G," 7th Infantry, are approved, and the sentence will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Edward Sheely*, Company "A," 20th Infantry.
2. Private *John Costillo*, Company "A," 20th Infantry.
3. Private *William Kennedy*, Company "A," 20th Infantry.
4. Private *Charles H. Oshwell*, Company "A," 20th Infantry.
5. Private *Cornelius Monahan*, Company "A," 20th Infantry.
6. Private *Otto Wahner*, Company "A," 20th Infantry.
7. Private *John Kerns*, Company "A," 20th Infantry.
8. Private *James Grennan*, Company "A," 20th Infantry.
9. Private *Thomas Smith*, Company "C," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., July 28th, 1874.

GENERAL ORDERS No. 56.

I...Before a General Court Martial which convened at Fort Seward, D. T., by virtue of paragraph III, Special Orders No. 117, and Special Orders No. 132, current series, from these Headquarters, and of which Captain J. H. PATTERSON, 20th Infantry, is President, were arraigned and tried:—

1st. Private *Edward Sheely*, Company "A," 20th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this; that he, Private *Edward Sheely*, Company 'A,' 20th Infantry, did proceed to Jamestown, D. T., on the east side of the James river, without permission, and in violation of the orders of the Post Commander, promulgated in General Orders No. 7, current series, Headquarters, Fort Seward, D. T. This at Fort Seward, D. T., on or about the night of May 21st, 1874."

CHARGE II.—"Violation of the 42d Article of War."

Specification.—"In this; that he, Private *Edward Sheely,* Company 'A,' 20th Infantry, did absent himself from his quarters, between tattoo, May 21st, 1874, and reveille, May 22d, 1874, when found asleep in Jamestown, D. T. This at Fort Seward, D. T., on or about the dates specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification,* "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification,* "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Sheely,* Company "A," 20th Infantry, "*To forfeit to the U. S.* ($10) *ten dollars of his monthly pay, and to be confined at hard labor under charge of the post guard, for thirty* (30) *days.*"

2d. Private *John Costillo,* Company "A," 20th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this; that he, Private *John Costillo*, Company 'A,' 20th Infantry, did proceed to Jamestown, D. T., on the east side of the James river, without permission, and in violation of the orders of the Post Commander, promulgated in General Orders No. 7, current series, Headquarters, Fort Seward, D. T. This at Fort Seward, D. T., on or about the night of May 21st, 1874."

CHARGE II.—"Violation of the 42d Article of War."

Specification.—"In this; that he, Private *John Costillo*, Company 'A,' 20th Infantry, did absent himself from his quarters, between tattoo, May 21st, and reveille, May 22d, 1874, when found asleep in Jamestown, D. T. This at Fort Seward, D. T., on or about the dates specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Costillo*,

Company "A," 20th Infantry, "*To forfeit to the U. S.* ($10) *ten dollars of his pay, for two* (2) *months, and to be confined at hard labor under charge of the post guard, for thirty* (30) *days.*"

3d. Private *William Kennedy*, Company "A," 20th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this; that he, Private *William Kennedy*, Company 'A,' 20th Infantry, did proceed to Jamestown, D. T., on the east side of the James river, without permission, and in violation of the orders of the Post Commander, promulgated in General Orders No. 7, current series, Headquarters, Fort Seward, D. T. This at Fort Seward, D. T., on or about the night of May 21st, 1874."

CHARGE II.—"Violation of the 42d Article of War."

Specification.—"In this; that he, Private *William Kennedy*, Company 'A,' 20th Infantry, did absent himself from his quarters, between tattoo, May 21st, 1874, and reveille, May 22d, 1874, when found asleep in Jamestown, D. T. This at Fort Seward, D. T., on or about the dates above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Kennedy*, Company "A," 20th Infantry, "*To forfeit to the U. S.* ($10) *ten dollars of his monthly pay, and to be confined at hard labor under charge of a guard, for thirty* (30) *days.*"

4th. Private *Charles H. Oshwell*, Company "A," 20th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this; that he, Private *Charles H. Oshwell*, Company 'A,' 20th Infantry, did absent himself from his company without permission from the proper authority, between the hours of 8 P. M., May 22d, 1874, and 10 A. M., May 23d, 1874. This at Fort Seward, D. T., on or about the dates above specified."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that Private *Charles H. Oshwell*, Company 'A,' 20th Infantry, was so drunk as to be unable to perform his duties. This at Fort Seward, D. T., on or about the 16th day of May, 1874."

Specification II.—"In this; that he, Private *Charles H. Oshwell*, Company 'A,' 20th Infantry, was so drunk as to be unable to perform his duties. This at Fort Seward, D. T., on or about the 17th day of May, 1874."

Specification III.—"In this; that he, Private *Charles H. Oshwell*, Company 'A,' 20th Infantry, was so drunk as to be unable to perform his duties. This at Fort Seward, D. T., on or about the 22d day of May, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles H. Oshwell*, Company "A," 20th Infantry, "*To forfeit to the U. S.* ($10) *ten dollars of his monthly pay, for the period of two* (2) *months, and to be confined at hard labor under charge of a guard, for the period of* 15 *days.*"

5th. Private *Cornelius Monahan*, Company "A," 20th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this; that he, Private *Cornelius Monahan*, Company 'A,' 20th Infantry, did proceed to Jamestown, D. T., on the east side of the James river, without permission, and in violation of the orders of the Post Commander, promulgated in General Or-

ders No. 7, current series, Headquarters, Fort Seward, D. T., on or about the night of May 21st, 1874."

CHARGE II.—"Violation of the 42d Article of War."

Specification.—"In this; that he, Private *Cornelius Monahan*, Company 'A,' 20th Infantry, did absent himself from his quarters between tattoo, May 21st, 1874, and reveille, May 22d, 1874, when found asleep in Jamestown, D. T. This at Fort Seward, D. T., on or about the dates specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Cornelius Monahan*, Company "A," 20th Infantry, "*To forfeit to the U. S.* ($10) *ten dollars for one* (1) *month, and to be confined at hard labor under charge of the post guard, for thirty* (30) *days.*"

6th. Private *Otto Wahner*, Company "A," 20th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this; that he, Private *Otto Wahner*, Company 'A,' 20th Infantry, did proceed to Jamestown, D. T., on the east side of the James river, without permission, and in violation of the orders of the Post Commander, promulgated in General Orders No. 7, current series, Headquarters, Fort Seward, D. T. This at Fort Seward, D. T., on or about the night of May 21st, 1874."

CHARGE II.—"Violation of the 42d Article of War."

Specification.—"In this; that he, Private *Otto Wahner*, Company 'A,' 20th Infantry, did absent himself from his quarters, between tattoo, May 21st, 1874, and reveille, May 22d, 1874, when found asleep in Jamestown, D. T. This at Fort Seward, D. T., on or about the dates above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Otto Wahner*, Company "A," 20th Infantry, "*To forfeit to the U. S.* (810) *ten dollars of his pay for one month, and to be confined at hard labor under charge of a guard, for thirty* (30) *days.*"

7th. Private *John Kerns*, Company "A," 20th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this; that he, Private *John Kerns*, Company 'A,' 20th Infantry, did proceed to Jamestown, D. T., on the east side of the James river, without permission, and in violation of the orders of the Post Commander, promulgated in General Orders No. 7, current series, Headquarters, Fort Seward, D. T. This at Fort Seward, D. T., on or about the night of May 21st, 1874."

CHARGE II.—"Violation of the 42d Article of War."

Specification.—"In this; that he, Private *John Kerns*, Company 'A,' 20th Infantry, did absent himself from his quarters, between tattoo, May 21st, 1874, and reveille, May 22d, 1874, when found asleep in Jamestown, D. T. This at Fort Seward, D. T., on or about the dates above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Kerns*, Company "A," 20th Infantry, "*To forfeit to the U. S. ten dollars* ($10) *of his pay, for one month, and to be confined at hard labor under charge of the guard, for thirty* (30) *days.*"

8th. Private *James Grennan*, Company "A," 20th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline, in violation of the 99th Article of War."

Specification.—"In this; that Private *James Grennan*, Company 'A,' 20th Infantry, did, on or about midnight, April 8th, 1874, force or burst open the door of one citizen John Nichols, living at or near Jamestown, D. T., and did assault said Nichols by drawing a pistol, and saying at the same time to him, (Nichols,) that he would shoot him, if he would not give him whiskey, or words to that effect. This at or near Jamestown, D. T., on or about midnight, April 8th, 1874."

CHARGE II.—"Absence without leave."

Specification.—"In this; that Private *James Grennan*, Company 'A,' 20th Infantry, did absent himself from his company and post without permission from the proper authority, on or about the night of April 8, 1874. This at Fort Seward, D. T., on or about the date above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Grennan*, Company "A," 20th Infantry, "*To forfeit to the U. S. ten dollars* ($10) *of his pay, for two months, and to be confined at hard labor under charge of a guard, for sixty* (60) *days.*"

9th. Private *Thomas Smith*, Company "C," 17th Infantry.

CHARGE.—"Desertion."

Specification.—"In this; that he, Private *Thomas Smith*, Company 'C,' 17th U. S. Infantry, a duly enlisted soldier in the service of the U. S., did desert the same on or about the 26th day of May, 1874, and did remain absent until apprehended on or about the 29th day of May, 1874. All this at Fort Wadsworth, D. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, excepting the words, 'did desert the same;' and of the excepted words, Not Guilty."
To the CHARGE, "Not Guilty; but Guilty of 'absence without leave.'"

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, excepting the words, 'did desert the same,' substituting in their stead, 'did absent himself without leave;' and of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty; but Guilty of 'absence without leave.'"

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Smith*, Company "C," 17th Infantry, "*To forfeit to the U. S.* ($10) *ten dollars of his monthly pay, for one month, and to be confined at hard labor under charge of the guard, for thirty* (30) *days.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Edward Sheely*, *Charles H. Oshwell* and *James Grennan*, Company "A," 20th Infantry, and *Thomas Smith*, Company "C," 17th Infantry, are approved, and the sentences will be duly executed.

In the foregoing case of Private *John Costillo*, Company "A," 20th Infantry, the findings under the 1st charge and its specification, are disapproved, as it appears from the record that the accused was not aware of the publication of the order he was charged with disobeying. The proceedings and remainder of the findings, together with the sentence, are approved. The sentence is mitigated to forfeiture of ten (10) dollars per month of his monthly pay, for the period of one month, and as thus mitigated will be duly executed. Private *Costillo* will be released from confinement and restored to duty.

In the foregoing cases of Privates *William Kennedy* and *Otto Wahner*, Company "A," 20th Infantry, the findings under the 1st charge and its specification, are disapproved. It is in evidence that on the only two occasions when the post order referred to in the specification (which was issued May 16th, 1874,) was read to the company, they were absent, and it is not shown that they were aware of its existence. The proceedings and remainder of the findings, are approved. The sentence

is disapproved. Privates *Kennedy* and *Wahner* will be released from confinement and restored to duty.

The proceedings, findings and sentence in the foregoing case of Private *Cornelius Monahan*, Company "A," 20th Infantry, are approved. So much of the sentence as relates to confinement is remitted, and as thus mitigated, the sentence will be duly executed. Private *Monahan* will be released from confinement and restored to duty.

In the foregoing case of Private *John Kerns*, Company "A," 20th Infantry, the findings under the 1st charge and its specification, are disapproved, as it appears from the record that the accused was absent from his post on detached service, when the order he was charged with disobeying (which was issued May 16, 1874,) was read to his company, and only returned on the night of May 20th. The proceedings and remainder of the findings, are approved. The sentence is disapproved. Private *Kerns* will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Seward, D. T., by virtue of paragraph III, Special Orders No. 117, and Special Orders No. 132, current series, from these Headquarters, and of which Captain J. H. PATTERSON, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

HEADQUARTERS DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 31, 1874.

GENERAL ORDERS, No. 57.

I. The authorized civil employees and extra duty men in the Quartermaster's Department at the several stations within this command, will be paid once a month, and so soon after the last day of each month as the Quartermaster is furnished with funds for the purpose. Other indebtedness of the Department properly incurred and payable at the respective stations, will be promptly paid thereat as they fall due.

II. The Chief Quartermaster of the Department will, by timely remittances, keep the several Post Quartermasters and others concerned, supplied with funds so that the above may be carried into effect. In making such remittances he will advise the officer of the specific purposes for which funds are sent, and those funds will not be expended for any other object or purposes than those so specified.

III. No indebtedness will be incurred on account of the Quartermaster's Department unless the same shall first have been authorized from these headquarters, except in cases of public emergency, such as may attend the sending out of escorts or details on detatched service, &c., and in all such cases the nature and amount of indebtedness will be promptly reported to the Commanding Officer of the post where the same is payable, and said Commanding Officer will direct that a special estimate of funds to meet the case, be promptly made and forwarded to the Chief Quartermaster of the Department, accompanied by orders and explanations necessary to a proper understanding of the matter.

IV. The regular monthly estimates of funds will be transmitted so that they shall reach these headquarters by the 10th day of the month preceding the one the funds are required for.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 12th, 1874.

GENERAL ORDERS No. 58.

I...The Court of Inquiry, of which Colonel W. B. HAZEN, 6th Infantry, is president, instituted by paragraph III, Special Orders No. 125, current series, from these Headquarters, upon the application of 2d Lieutenant Charles Metcalfe, 17th U. S. Infantry, "to investigate and report upon the facts connected with the loss of certain 'checks,' for the transfer of public funds, claimed by him to have been transmitted through the public mails to the Chief Commissary of the Department, and lost in such transmittal," has made the following report:

In obedience to paragraph III, Special Orders No. 125, Headquarters, Department of Dakota, June 16th, 1874, the Court of Inquiry therein instituted, convened in Saint Paul, Minnesota, on the day designated for its assembling, and proceeded to an investigation of the facts connected with the loss of certain checks, claimed by 2d Lieutenant Charles Metcalfe, 17th U. S. Infantry, to have been transferred through the public mails, to the Chief Commissary of the Department.

After as thorough an investigation as the character of the transaction rendered possible, the Court report the facts thereby developed, as follows:

FACTS.

First: On the 25th day of April, 1873, at Grand River, D. T., Lieutenant Metcalfe, A. C. S. at that post, caused to be prepared for his signature, and did sign, an invoice, setting forth a transfer of subsistence funds to the amount of seven hundred and two dollars and one cent ($702.01) to Captain J. H. Gilman, the then Chief Commissary of the Department. The invoice specifies that the funds consisted of thirteen (13) described checks of different disbursing officers

of the government, in favor of enlisted men and civilian employes, for sums ranging in amount from $6.15 to $180.00. These checks he procured from Captain William M. Van Horne. He at the same time caused to be prepared for his signature, and did sign a letter of transmittal, addressed to Captain Gilman, which, with the invoice and checks, he enclosed in an envelope in the presence of the Commissary Sergeant.

Second: On the 15th day of May, 1873, Captain Gilman received from the Post Office in Saint Paul, the letter of transmittal and invoice above referred to, in an envelope which had been registered at Grand River, D. T., and post-marked at that point, April 29th, 1873, but without the thirteen (13) described checks, which should have been enclosed.

Third: On the 5th day of June, 1873, Captain Gilman received from Lieutenant Thomas G. Troxel, A. C. S. at Fort Rice, D. T., among other checks, five of the number described in Lieutenant Metcalfe's invoice, amounting to two hundred and seventy-six dollars and twenty-three cents ($276.23); of the other eight checks no intelligence has ever been received, as they have never been presented for payment. Captain Gilman at once notified Lieutenant Metcalfe by telegraph of the receipt of these checks, and asked him if he had endorsed the checks he had transmitted. Lieutenant Metcalfe responded by telegraph that he was positive he had endorsed them. In a letter written at the same time, however, he stated that he believed he must have endorsed them, as such was his custom. The five checks herein referred to, do not bear his endorsement.

Fourth: The envelope covering the letter of transmittal and invoice, appears to have been opened and re-sealed, in which condition it was when it was received by Captain Gilman. The condition of the official registered package envelope, which enclosed the registered letter between the Grand River and Saint Paul offices, indicates that it could not have been disturbed in transit. This, taken in connection with the fact that the checks received from Lieutenant Troxel could not have been sent from Saint Paul to Fort Rice in the time elapsing between the date of the receipt of the registered letter in the former

place, and the date they were sent from Fort Rice, establishes the fact, that when the registered letter was placed in the official registered package envelope at Grand River, it did not contain the thirteen checks the invoice referred to.

These are all the facts susceptible of demonstration.

Lieutenant Metcalfe testifies that he took the envelope containing the letter of transmittal, invoice, and checks, to the post office at Grand River, on the day of its date, April 25th, 1873; that, finding the office locked, he took the package to his quarters and placed it in his safe, where it remained until the next day, when he mailed and registered it in good condition; that he asked the Postmaster what amount of postage would be required, and was informed twenty-four (24) cents, which amount is found to have been affixed in stamps. He also testifies that he received the thirteen checks from Captain Van Horne, in two different lots; that he is confident he endorsed the checks first received while Captain Van Horne was absent procuring the others, and that he thought he endorsed the second lot. He further testifies that he did not receive a receipt for the letter until a few hours after he mailed it, and that it was dated April 29th, 1873, the date when the mail would probably leave.

In corroboration of his testimony, it is in evidence that the post office at Grand River at that time, was carelessly administered, and that free and very general access to the mails on the part of outsiders was possible; that there was no safe in the office, and that registered letters awaiting the departure of the mail were kept exposed to view, and that depredations upon the mail had been committed along the same mail line.

It is also in evidence, that the registry fee for letters in April, 1873, was fifteen (15) cents, and that the letter of transmittal, invoice, and two envelopes, would require but six (6) cents postage, while with thirteen checks of the same weight as those claimed to have been sent, a postage of nine (9) cents would be required—the exact sum paid.

Opinion.

The opinion is expressed, that, so far as now appears, there is no proof in support of the theory advanced by officers of the Post Office Department, that Lieutenant Metcalfe failed to enclose the checks as

he claimed to have done, and that further action on the part of the military authorities is not, at present, demanded.

II...The proceedings, findings and opinion of the Court of Inquiry, are approved.

III...The Court of Inquiry instituted by paragraph III, Special Orders No. 125, current series, from these Headquarters, and of which Colonel W. B. HAZEN, 6th Infantry, is president, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

HEADQUARTERS DEPARTMENT OF DAKOTA,
St. Paul, Minn., August 17, 1874

GENERAL ORDERS, }
No. 59. }

The "Middle District" of this Military Department will, until further orders, comprise the following named posts, viz: Forts Stevenson, Abraham Lincoln and Rice, Camp Hancock and Grand River Agency. The headquarters will be established at Fort Abraham Lincoln, and Lieutenant-Colonel *G. A. Custer*, 7th Cavalry, is assigned to the command.

The posts, Forts Randall, Sully, Cheyenne and Lower Brule Agencies will constitute the "Southern" District, with headquarters at Fort Randall—Lieutenant-Colonel *Pinkney Lugenbeel*, 1st Infantry, is assigned to the command.

The attention of the District Commanders is called to the provisions of Department General Orders No. 64, of 1869, for their information in regard to the extent and limitations of their duties and powers.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Sergeant *William Perritt*, Company "H," 20th Infantry.
2. Private *John Scully*, Company "H," 20th Infantry.
3. Private *James Shields*, Company "H," 20th Infantry.
4. Private *Peter O'Donnell*, Company "G," 20th Infantry.
5. Private *John C. Fahy*, Company "G," 20th Infantry.
6. Private *E. J. McDonald*, Company "C," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., August 22d, 1874.

GENERAL ORDERS
No. 60.

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of paragraph VI, Special Orders No. 155, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried:—

1st. Sergeant *William Perritt*, Company "H," 20th Infantry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this; that Sergeant *William Perritt*, Company 'H,' 20th Infantry, was drunk and disorderly. This at Fort Snelling, Minn., July 14th, 1874."

CHARGE II.—"Disobedience of orders."

Specification I.—"In this; that Sergeant *William Perritt*, Company 'H,' 20th Infantry, having been ordered by his Company Commander, to remain in his squad-room, did leave his room and go to the

room of the 1st Sergeant, creating a disturbance therein. This at Fort Snelling, Minn., July 14th, 1874."

Specification II.—"In this; that Sergeant *William Perritt*, Company 'H,' 20th Infantry, being ordered by his Company Commander, to go to his quarters in arrest, did refuse to do so, saying: 'I'll be God d—— if I go,' or words to that effect. This at Fort Snelling, Minn., July 14th, 1874."

CHARGE III.—"Drunkenness on duty, to the prejudice of good order and military discipline."

Specification.—"In this; that Sergeant *William Perritt*, Company 'H,' 20th Infantry, having been by competent authority ordered to Saint Paul, Minn., on official business, did become so drunk as to be unfit for the performance of such duty. This at or near Fort Snelling, Minn., on the 14th day of July, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *William Perritt*, Company "H," 20th Infantry, "*To be reduced to the ranks, to forfeit to the United States twelve dollars* ($12.00) *of his pay per month, for two* (2) *months, and to be confined at hard labor in charge of the guard, for the same period.*"

2d. Private *John Scully*, Company "H," 20th Infantry."

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In this; that he, Private *John Scully*, Company 'H,' 20th Infantry, having been duly detailed as 'cook's police' of his company, did become so much under the influence of intoxicating liquor as to be unfit for duty. This at Fort Snelling, Minn., July 11th, 1874."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Private *John Scully*, Company 'H,' 20th Infantry, having been duly detailed as 'cook's police' of his company, did absent himself without proper authority, from his duties, and did remain absent until arrested and confined. This at Fort Snelling, Minn., July 11th, 1874."

Specification II.—"In this; that he, Private *John Scully*, Company 'H,' 20th Infantry, when told by 1st Sergeant Laurence Fahey, Company 'H,' 20th Infantry, to go with him to the guard-house, did resist Sergeant Fahey, who was in the execution of his duty, and

did refuse to obey him, saying, 'I won't go with you, help yourself if you can,' or words to that effect, and did strike at Sergeant Fahey with his fists. This at Fort Snelling, Minn., July 11th, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Scully*, Company "H," 20th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *per month of his monthly pay, for three* (3) *months, and to be confined at hard labor in charge of the guard, for the same period; the first twenty* (20) *days carrying a loaded knapsack weighing thirty* (30) *pounds, from fatigue call A. M. to retreat, allowing a half an hour for dinner.*"

3d. Private *James Shields*, Company "H," 20th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this; that he, Private *James Shields*, Company 'H,' 20th Infantry, having been ordered by his superior officer, 2d Lieutenant Wm. H. Low, Jr, 20th Infantry, to return immediately to his company and post, did fail to obey said order. This near Minnehaha Falls, Minn., on or about July 13th, 1874."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Private *James Shields*, Company 'H,' 20th Infantry, being asked by 2d Lieutenant William H. Low, Jr., 20th Infantry, who he was, did reply, Private O'Brien, Company 'H,' 20th Infantry; all of which was false. This near Minnehaha Falls, Minn., on or about July 13th, 1874."

Specification II.—"In this; that he, Private *James Shields*, Company 'H,' 20th Infantry, being asked by 2d Lieutenant Wm. H. Low, Jr., 20th Infantry, if he had permission to be absent from his post, did reply that he had a pass lasting until drill-call, all of which was false. This near Minnehaha Falls, Minn, July 13th, 1874."

CHARGE III.—"Absence without leave."

Specification.—"In this: that he, Private *James Shields*, Company 'H,' 20th Infantry, being on the sick report, did absent himself from his company and post, and did visit Minnehaha Falls, without proper authority. This at Fort Snelling, Minn., July 13th, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE III.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Shields*, Company "H," 20th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *per month of his monthly pay, for two* (2) *months, and to be confined at hard labor in charge of the guard, for the same period; the first ten* (10) *days carrying a loaded knapsack weighing thirty* (30) *pounds, from fatigue call A. M. to retreat, allowing a half an hour for dinner.*"

4th. Private *Peter O'Donnell*, Company "G," 20th Infantry.

CHARGE I.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this; that Private *Peter O'Donnell*, Company 'G,' 20th Infantry, having been ordered by his superior officer, 2d Lieutenant W. H. Hamner, 20th Infantry, to accompany his detachment to Fort Ripley, Minn., did willfully disobey said order. This at or near Brainerd, Minn., on or about the 16th day of July, 1874."

CHARGE II.—"Absence without leave, in violation of the 21st Article of War."

Specification.—"In this; that Private *Peter O'Donnell*, Company 'G,' 20th Infantry, did absent himself from his detachment, without leave from his Commanding Officer. This at or near Brainerd, Minn., on or about the 16th day of July, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Peter O'Donnell*, Company "G," 20th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *of his monthly pay, for one* (1) *month, and to be confined at hard labor in charge of the guard at his proper post, for thirty* (30) *days.*"

5th. Private *John C. Fahy*, Company "G," 20th Infantry.

CHARGE I.—"Disrespect towards his Commanding Officer, in violation of the 6th Article of War."

Specification.—"In this; that Private *John C. Fahy*, Company 'G,' 20th Infantry, did behave himself with contempt and disrespect towards his Commanding Officer, 2d Lieutenant William H. Hamner, 20th Infantry, in that, having been twice refused permission to remain in Brainerd, Minn., did, in presence of enlisted men, say, that 'he would remain anyhow.' This at or near Brainerd, Minn., on or about the 16th day of July, 1874."

CHARGE II.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this; that Private *John C. Fahy*, Company 'G,' 20th Infantry, having been ordered by his superior officer, 2d Lieutenant W. H. Hamner, 20th Infantry, to accompany his detachment to Fort Ripley, Minn., did willfully disobey said order. This at or near Brainerd, Minn., on or about the 16th day of July, 1874."

CHARGE III.—"Absence without leave, in violation of the 21st Article of War."

Specification.—"In this; that Private *John C. Fahy*, Company 'G,' 20th Infantry, did absent himself from his detachment without leave from his Commanding Officer. This at or near Brainerd, Minn., on or about the 16th day of July, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE III.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John C. Fahy*, Company "G," 20th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *per month of his monthly pay, for three* (3) *months, and to be confined at hard labor in charge of the guard at his proper post, for thirty* (30) *days.*"

6th. Private *E. J. McDonald*, Company "C," 20th Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this; that he, Private *E. J. McDonald*, Company 'C,' 20th Infantry, did enter the orderly room of Company 'C,' 20th Infantry, and did take therefrom without permission, and with intent to dishonestly convert to his own use; One (1) flannel shirt, and one (1) pair of drawers, the property of the United States, and for which Captain H. G. Thomas, 20th Infantry, is responsible. This at Fort Snelling, Minn., about 9 o'clock A. M., July 24th, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, except the words, 'and with intent to

dishonestly convert to his own use;' and of the excepted words, Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'and with intent to dishonestly convert to his own use;' and of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty; but guilty of conduct prejudicial to good order and military discipline."

SENTENCE.

And the Court does therefore sentence him, Private *E. J. McDonald*, Company "C," 20th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *of his monthly pay, for one* (1) *month.*"

II...The proceedings, findings and sentences in the foregoing cases of Sergeant *William Perritt*, Privates *John Scully* and *James Shields*, Company "H," and Private *Peter O'Donnell*, Company "G," 20th Infantry, are approved, and the sentences will be duly executed.

In the foregoing case of Private *John C. Fahy*, Company "G," 20th Infantry, the findings under the first charge and its specification, are disapproved, there being no evidence in the record to sustain them. The proceedings and sentence, together with the remainder of the findings, are approved. The sentence is mitigated to forfeiture of ten (10) dollars per month of his monthly pay, for two (2) months, and confinement at hard labor in charge of the guard, for the period of thirty (30) days. As thus mitigated the sentence will be duly executed.

The proceedings, findings and sentence in the foregoing case of Private *E. J. McDonald*, Company "C," 20th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Snelling,

Minn., by virtue of paragraph VI, Special Orders No. 155, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Sergeant *Daniel Gorom*, Company "C," 1st Infantry.
2. Private *Alfred J. Lewis*, Company "C," 1st Infantry.
3. Private *William H. Helwig*, Company "C," 1st Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., August 24th, 1874.

GENERAL ORDERS No. 61.

I...Before a General Court Martial which convened at Fort Porter, Buffalo, N. Y., by virtue of paragraph I, Special Orders No. 108, current series, Headquarters Military Division of the Atlantic, and of which Captain I. D. DE RUSSY, 1st Infantry, is President, were arraigned and tried:—

1st. Sergeant *Daniel Gorom*, Company "C," 1st Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this; that he, Sergeant *Daniel Gorom*, of Company 'C,' 1st Infantry, having been regularly mounted as sergeant of the guard of the post of Fort Porter, N. Y., on the 2d day of June, 1874, and while in the performance of his duties as sergeant of the guard, did send military convict Patrick Sloan, out to work under charge of Private Alfred J. Lewis, of Company 'C,' 1st Infantry, a member of the police party of the post, in direct violation of existing orders, to wit; 'No general prisoners shall be sent out from the guard-house, except under charge of a member of the guard.' This at Fort Porter, N. Y., on or about the 2d day of June, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore "*acquit him*," Sergeant *Daniel Gorom*, Company "C," 1st Infantry.

2d. Private *Alfred J. Lewis*, Company "C," 1st Infantry.

CHARGE I.—"Desertion."

Specification.—"In this; that he, Private *Alfred J. Lewis*, of Company 'C,' 1st Infantry, having been duly enlisted as a soldier into the service of the United States, on the 11th day of July, 1873, did desert the same at Fort Porter, N. Y., on the 2d day of June, 1874, and did remain absent until arrested at and brought back from Tonawanda, N. Y., by J. O. Henderson, of the Buffalo City detective force."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this; that he, Private *Alfred J. Lewis*, of Company 'C,' 1st Infantry, being a member of the regular police party of the post of Fort Porter, N. Y., and having been placed in charge of military convict Patrick Sloan, and Private Jerome Foley, of Company 'A,' 1st Infantry, a garrison prisoner, to take them to work in the storehouse of the Acting Assistant Quartermaster of the post, did turn Private Jerome Foley over to Commissary Sergeant James Nelson, U. S. A., and did go toward the men's sinks of the post with the said Patrick Sloan, and did then leave

the post and reservation with the said Sloan, after taking off his belts and throwing them away, aud did proceed to Tonawanda, N. Y., with the said Sloan, and did remain absent until both were apprehended and brought back by J. O. Henderson, Buffalo City detective force, on the 2d of June, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Alfred J. Lewis*, of Company "C," 1st Infantry, "*To be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are now due or that may become due him, and then to be confined at hard labor at such place as the Commanding General may designate, for the period of five years.*"

3d. Private *William H. Helwig*, Company "C," 1st Infantry.

CHARGE I.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this; that he, Private *William H. Helwig*, of Company 'C,' 1st Infantry, while on duty as a member of the post guard, did permit Private Morris, of Company 'M,' 7th Cavalry, a prisoner in his charge, to escape. This at Fort Porter, N, Y., on or about the 18th day of May, 1874."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this; that he, Private *William H. Helwig*, of Company 'C,' 1st Infantry, having been regularly mounted as a sentinel on No. 3 post, did, on seeing Sergeant John Greene, of Company 'A,' 1st Infantry, sergeant of the guard, approach his post, turn his back and walk away, and did continue to so walk away until twice called by the said Sergeant Greene, and did answer in an insolent manner, 'I know what you want, it is all right,' and when ordered to approach and turn over his orders, did hesitate to obey said order, and on being again ordered to approach, did say in a defiant manner, 'Well now, what do you want,' and when ordered to bring his musket to arms port and turn over his orders, did throw his piece across his body in an unsoldierly position, and commence shouting his orders in a boisterous manner, and on being ordered to repeat his orders in a low tone, did continue in a loud voice, and did say in an insulting manner, 'There, will that suit you,' or words to that effect; the said Sergeant Greene being at the time in the execution of his duty as sergeant of the guard. This at Fort Porter, N. Y., on or about the 27th of May, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William H. Helwig*, of Company "C," 1st Infantry, "*To be confined at hard labor in charge of the guard, for two months, and to forfeit to the United States eight dollars per month of his monthly pay, for the same period.*"

II...The proceedings and findings in the foregoing case of Sergeant *Daniel Gorom*, Company "C," 1st Infantry, are approved. Orders have already been issued for his release from arrest and restoration to duty.

The proceedings, findings and sentence in the foregoing case of Private *Alfred J. Lewis*, Company "C," 1st Infantry, are approved. So much of the sentence as relates to the period of confinement, is mitigated to three (3) years, and as thus mitigated, will be duly executed. The post where his company may be serving is designated as the place of confinement.

The proceedings, findings and sentence in the foregoing case of Private *William H. Helwig*, Company "C," 1st Infantry, are approved. In view of the length of time that has elapsed since his confinement,

the sentence is remitted. He will be released from confinement and restored to duty.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *William Simon*, Company "K," 7th Infantry.
2. Private *Robert Marlow*, Company "K," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., August 25th, 1874.

GENERAL ORDERS No. 62.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 51, and paragraph IV, Special Orders No. 68, current series, from these Headquarters, and of which Captain D. W. BENHAM, 7th Infantry, is President, were arraigned and tried:—

1st. Private *William Simon*, Company "K," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this; that Private *William Simon*, Company 'K,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert from said service at Fort Shaw, M. T., on or about the 19th day of March, 1874, and did remain absent therefrom until apprehended at or near Dear Lodge, M. T., on or about the 29th day of May, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Simon*, Company "K," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due, to be confined at hard labor under charge of the guard until August* 22*d*, 1876, *the expiration of his term of enlistment; then to be dishonorably discharged from the United States military service.*"

2d. Private *Robert Marlow*, Company "K," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In; that he, Private *Robert Marlow*, Company 'K,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Shaw, M. T., on or about the 19th day of March, 1874, and did remain absent therefrom until the 17th day of June, 1874, at which date he voluntarily surrendered himself at or near Little Boulder, Montana Territory."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Robert Marlow*, Company "K," 7th Infantry, "*To be confined at hard labor under charge of the post guard, for the period of six* (6) *months, and to forfeit to the*

United States the sum of ten dollars ($10.00) *per month of his monthly pay, for the same period.*"

II...The proceedings, findings and sentence in the foregoing case of Private *William Simon*, Company "K," 7th Infantry, are approved. Upon the recommendation of the Court, based on the excellent character of the accused, the sentence is remitted. Private *Simon* will be released from confinement and restored to duty.

The proceedings, findings and sentence in the foregoing case of Private *Robert Marlow*, Company "K," 7th Infantry, are approved, and the sentence will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Thomas Vaughan*, Company "H," 7th Infantry.
2. Private *William C. Lunsdun*, Company "H," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., August 26th, 1874.

GENERAL ORDERS No. 63.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 51, and paragraph IV, Special Orders No. 68, current series, from these Headquarters, and of which 1st Lieutenant W. I. REED, 7th Infantry, is President, were arraigned and tried:—

1st. Private *Thomas Vaughan*, Company "H," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that he, Private *Thomas Vaughan*, Company 'H,' 7th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Camp Baker, M. T., on or about the 6th day of March, 1873."

Specification II.—"In this; that he, Private *Thomas Vaughan*, Company 'H,' 7th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Camp Baker, M. T., on or about the 7th day of July, 1873."

Specification III.—"In this; that he, Private *Thomas Vaughan*, Company 'H,' 7th Infantry, did become so drunk as to unfit him for

the proper performance of his duties as a soldier. This at Camp Baker, M. T., on or about the 28th day of July, 1873."

Specification IV.—"In this; that he, Private *Thomas Vaughan*, Company 'H,' 7th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Camp Baker, M. T., on or about the 3d day of October, 1873."

Specification V.—"In this; that he, Private *Thomas Vaughan*, Company 'H,' 7th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Camp Baker, M. T., on or about the 7th day of October, 1873."

Specification VI.—"In this; that he, Private *Thomas Vaughan*, Company 'H,' 7th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Camp Baker, M. T., on or about the 11th day of January, 1874."

Specification VII.—"In this; that he, Private *Thomas Vaughan*, Company 'H,' 7th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Camp Baker, M. T., on or about the 25th day of January, 1874."

Specification VIII.—"In this; that he, Private *Thomas Vaughan*, Company 'H,' 7th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Camp Baker, M. T., on or about the 7th day of March, 1874."

Specification IX.—"In this; that he, Private *Thomas Vaughan*, Company 'H,' 7th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Camp Baker, M. T., on or about the 10th day of March, 1874."

Specification X.—"In this; that he, Private *Thomas Vaughan*, Company 'H,' 7th Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Camp Baker, M. T., on or about the 14th day of March, 1874."

To which charges and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Special plea of the accused in bar of trial sustained by the Court."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Not Guilty."
To the 5th *Specification*, "Not Guilty."
To the 6th *Specification*, "Not Guilty."
To the 7th *Specification*, "Not Guilty."
To the 8th *Specification*, "Not Guilty."
To the 9th *Specification*, "Not Guilty."
To the 10th *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused as follows:

Of the 1st *Specification*, "Not Guilty."
Of the 3d *Specification*, "Guilty."
Of the 4th *Specification*, "Not Guilty."
Of the 5th *Specification*, "Not Guilty."
Of the 6th *Specification*, "Not Guilty."
Of the 7th *Specification*, "Not Guilty."
Of the 8th *Specification*, "Not Guilty."
Of the 9th *Specification*, "Guilty."
Of the 10th *Specification*, "Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Vaughan*, Company "H," 7th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *of his monthly pay, for the period of one* (1) *month. The Court is thus lenient in consideration of the long period of confinement suffered by the man for offences that should have been punished at the time of commission, and in view of the character given by the officers of the company.*"

2d. Private *William C. Lunsdun*, Company "H," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this; that Private *William C. Lunsdun*, Company 'H,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Camp Baker, M. T., on or about the 15th day of April, 1874, and did remain absent therefrom until apprehended at or near Deer Lodge, M. T., on or about the 29th day of May, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William C. Lunsdun*, Company "H," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due, to be confined at hard labor under charge of the post guard until May 26th*, 1875, *the expiration of his term of enlistment, and then to be dishonorably discharged from the military service of the United States.*"

II...The proceedings, findings and sentence in the foregoing case of Private *Thomas Vaughan*, Company "H," 7th Infantry, are approved. A proper investigation of this case on the part of the Post Commander —before transmitting the charges to these Headquarters—would have shown that there was no necessity for bringing it before a General Court Martial. Private *Vaughan* will be released from confinement and restored to duty.

The proceedings, findings and sentence in the foregoing case of Private *William C. Lunsdun*, Company "H," 7th Infantry, are approved, and the sentence will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

Private *Patrick McCue*, Company "H," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., September 10th, 1874.

GENERAL ORDERS No. 64.

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of paragraph VI, Special Orders No. 155, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried:—

Private *Patrick McCue*, Company "H," 20th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this; that he, Private *Patrick McCue*, Company 'H,' 20th Infantry, did absent himself from his company and post without proper authority, from about retreat, August 22d, until about noon, August 25th, 1874. This at Fort Snelling, Minn., on the dates above specified."

CHARGE II.—"Disobedience of orders."

Specification.—"In this; that he, Private *Patrick McCue*, Company 'H,' 20th Infantry, having been ordered by his superior officer, Lieutenant Walworth W. Wood, 20th Infantry, to report as soon as possible to his company and post, (he, *McCue*, being absent without leave at the time,) did fail to obey that order. This at Saint Paul, Minn., about noon the 24th day of August, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Patrick McCue*, Company "H," 20th Infantry, "*To forfeit to the United States twelve dollars* ($12.00) *of his monthly pay, for two* (2) *months, and to be confined at hard labor in charge of the post guard until September* 15*th*, 1874."

II...The proceedings, findings and sentence in the foregoing case of Private *Patrick McCue*, Company "H," 20th Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3*d Infantry, A. D. C.*

G. C. M.

1. Private *Peter Lundquist*, Company "A," 1st Infantry.
2. Private *John B. Smith*, Company "D," 1st Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., September 25th, 1874.

GENERAL ORDERS No. 65.

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph IV, Special Orders No. 155, current series, from these Headquarters, and of which Lieutenant Colonel PINKNEY LUGENBEEL, 1st Infantry, is President, were arraigned and tried:—

1st. Private *Peter Lundquist*, Company "A," 1st Infantry.

CHARGE I.—"Desertion."

Specification I.—"In this; that Private *Peter Lundquist*, Company 'A,' 1st Infantry, formerly of Company 'H,' 6th Infantry, having been regularly enlisted in the army of the United States, on the 7th day of September, 1870, did desert the same at Sioux City, Iowa, on the 15th day of June, 1872, and did remain absent until on or about October 27th, 1873, when he surrendered himself under the provisions of General Orders No. 102, War Department, A. G. O., October 10th, 1873, and was restored to duty subject to the conditions of the said order."

Specification II.—"In this; that Private *Peter Lundquist*, Company 'A,' 1st Infantry, formerly of Company 'H,' 6th Infantry, having surrendered himself at Fort Porter, N. Y., on or about October

27th, 1873, under the provisions of General Orders No. 102, War Department, A. G. O., October 10th, 1873, and transferred to Company 'A,' 1st Infantry, per Special Orders No. 247, War Department, A. G. O., December 13th, 1873, did again desert the service of the United States, on or about the 13th day of May, 1874, and did remain absent until arrested by a police officer of the City of Buffalo, on the night of May 13th, 1874, he, Private *Lundquist* being at the time of arrest, dressed in civilian's clothing, and on his way to the ferry-boat which plies between the City of Buffalo and Canada."

CHARGE II.—"Violation of the 22d Article of War."

Specification.—"In this; that Private *Peter Lundquist*, Company 'A,' 1st Infantry, formerly of Company 'H,' 6th Infantry, did enlist in Company 'C,' 1st Infantry, on the 16th day of October, 1873, he being at the time a deserter from Company 'H,' 6th Infantry. This at Fort Porter, on or about the date above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Special plea of the accused in bar of trial."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty, but attach no criminality thereto, as he surrendered himself under General Orders No. 102, War Department, A. G. O., October 10, 1873."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Guilty, but attach no criminality thereto, as he surrendered himself under General Orders No. 102, War Department, A. G. O., October 10, 1873."

Of the CHARGE, "Guilty, but attach no criminality thereto, as he surrendered himself under General Orders No. 102, War Department, A. G. O., October 10, 1873."

And the Court does therefore "*acquit him*," Private *Peter Lundquist*, Company "A," 1st Regiment of U. S. Infantry.

2d. Private *John B. Smith*, Company "D," 1st Infantry.

CHARGE.—"Desertion."

Specification.—"In; that Private *John B. Smith*, Company 'D,' 1st Infantry, having been duly enlisted in the Army of the United States, on the 12th day of August, 1872, did desert the same on or about the 7th day of June, 1873, from furlough, at Bean Blossom, Indiana, and did remain so absent until on or about the 1st day of July, 1874, when he surrendered himself at Indianapolis, Indiana."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John B. Smith*, Company "D," 1st Infantry, "*To forfeit to the United States all pay and allowances due or that may become due him, and to be dishonorably dis-*

charged the service of the United States, and confined at hard labor for one year at such military prison as the Commanding General may direct."

II...The proceedings and findings in the foregoing case of Private *Peter Lundquist*, Company "A," 1st Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings, findings and sentence in the foregoing case of Private *John B. Smith*, Company "D," 1st Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Charles Sweeney*, Company "F," 2d Cavalry.
2. Private *John Rogers*, Company "G," 2d Cavalry.
3. Private *George Esig*, Company "F," 2d Cavalry.
4. Private *Richard Walsh*, Company "H," 2d Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., September 26th, 1874.

GENERAL ORDERS No. 66.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph IV, Special Orders No. 176, current series, from these Headquarters, and of which Major N. B. SWEITZER, 2d Cavalry, is President, were arraigned and tried:—

1st. Private *Charles Sweeney*, Company "F," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this; that he, Private *Charles Sweeney*, Company 'F,' 2d U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Ellis, M. T., on the 25th day of July, 1874, and remain absent until apprehended near Goose Creek, M. T., July 27, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Sweeney*, Company "F," 2d Cavalry: "*To forfeit all pay and allowances now due, or that may become due, except the just dues of the laundress; and to be confined at hard labor, under charge of the guard, at the post where his Company may be serving, for the period of two* (2) *years, and then to be dishonorably discharged the service of the United States.*"

2d. Private *John Rogers*, Company "G," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this; that he, Private *John Rogers*, Company 'G,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 27th day of July, 1874, at or near Fort Ellis, M. T., and did remain so absent until apprehended at or near Cokrel's Bridge, M. T., on the 27th of July, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Rogers*, Company "G," 2d Cavalry: "*To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress; and to be confined at hard labor, under charge of the guard, at the post where his Company*

may be serving, for the period of two (2) years, and then to be dishonorably discharged the service of the United States."

3d. Private *George Esig*, Company "F," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this; that he, Private *George Esig*, Company 'F,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Ellis, M. T., on the 25th day of July, 1874, and remain absent until apprehended near Goose Creek, M. T., July 27, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Esig*, Company "F," 2d Cavalry: "*To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress; and to be confined at hard labor, under charge of the guard, at the post where his Company may be serving, for the period of two (2) years, and then to be dishonorably discharged the service of the United States.*"

4th. Private *Richard Walsh*, Company "H," 2d Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this; that Private *Richard Walsh*, Company 'H,' 2d Cavalry, did become so much under the influence of intoxi-

cating liquor, as to be unable to perform properly the duties of a soldier, while at the picket line, at evening stables of Company 'H,' 2d Cavalry. All this at Fort Ellis, M. T., on the 15th day of July, 1874."

Specification II.—"In this; that when 1st Sergeant John B. Warren, Company 'H,' 2d Cavalry, while in the execution of his duty, did order Corporal J. R. Elkins, Company 'H,' 2d Cavalry, to convey said Private *Richard Walsh* to the post guard-house, said Private *Richard Walsh* did resist the execution of said order, and did spring towards said 1st Sergeant Warren, seizing hold of him, and with a currycomb did strike said 1st Sergeant Warren several severe blows on the head and other parts of his person, at the said time did push and throttle, and attempt to kick and throw down said 1st Sergeant Warren, until overpowered and conveyed to the post guard-house. All this at Fort Ellis, M. T., on the 15th day of July, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty, except the words, 'at the same time did push and throttle, and attempt to kick and throw down said 1st Sergeant Warren, until overpowered and conveyed to the post guard-house;' and of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Richard Walsh*, Company "H," 2d Cavalry: "*To forfeit* (8) *dollars per month of his monthly pay for the period of six* (6) *months, and to be confined at hard labor, under charge of the guard, for the same period.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Charles Sweeney* and *George Esig*, Company "F," *John Rogers*, Company "G," and *Richard Walsh*, Company "H," 2d Cavalry, are approved, and the sentences will be duly executed.

III...The General Court Martial which convened at Fort Ellis, M. T., by virtue of paragraph IV, Special Orders No. 176, current series, from these Headquarters, and of which Major N. B. SWEITZER, 2d Cavalry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Kyram Fitzpatrick*, Company "E," 1st Infantry.
2. Private *George Tio*, Company "E," 1st Infantry.
3. Private *James Reynolds*, Company "B," 1st Infantry.
4. Private *Marcellin Sallé*, Company "H," 1st Infantry.
5. Private *Thomas Brophy*, Company "H," 1st Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., September 28th, 1874.

GENERAL ORDERS No. 67.

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of paragraph I, Special Orders No. 161, current series, from these Headquarters, and of which Captain R. H. OFFLEY, 1st Infantry, is President, were arraigned and tried:—

1st. Private *Kyram Fitzpatrick*, Company "E," 1st Infantry.

CHARGE.—"Desertion."

Specification.—"In this; that he, Private *Kyram Fitzpatrick*, Company 'E,' 1st Infantry, having been duly enlisted into the service of the United States, did desert the same, on or about the eleventh (11th) day of November, 1872, and did remain so absent in desertion until on or about the eighth day of June, 1874, when he surrendered himself at Fort Wayne, Michigan. This at or near Fort Wayne, Michigan, on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Kyram Fitzpatrick*, Company "E," 1st Infantry: "*To forfeit to the United States all pay and allowances now due, or that may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States; and then to be confined at hard labor, at such place as the Commanding General may direct, for the period of one year.*"

2d. Private *George Tio*, Company "E," 1st Infantry.

CHARGE.—"Desertion."

Specification.—"In this; that he, Private *George Tio*, Company 'E,' 1st Infantry, having been duly enlisted into the service of the United States, did desert the same at or near Fort Wayne, Michigan, on or about the 15th day of May, 1874, and did remain so absent until on or about the 7th day of July, 1874, when he was apprehended."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Tio*, Company "E," 1st Infantry: "*To forfeit to the United States all pay and allowances now due or that may become due him; and to be dishonorably discharged the service of the United States. The Court is thus lenient, on account of the physical condition of the accused, as shown in evidence.*"

3d. Private *James Reynolds*, Company "B," 1st Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"That Private *James Reynolds*, Company 'B,' 1st Infantry, a duly mounted member of the post guard of Fort Sully, D. T., on the 5th August, 1874, was found sitting down on his post, between the hours of three and four A. M., of the 6th of August, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Reynolds*, Company "B," 1st Infantry, "*To be confined at hard labor in charge of the guard, for four months; and to forfeit ten dollars per month of his monthly pay, for the same period.*"

4th. Private *Marcellin Sallé*, Company "H," 1st Infantry.

CHARGE.—"Desertion."

Specification.—"In this; that he, Private *Marcellin Sallé*, Company 'H,' 1st Infantry, having been duly enlisted as a soldier in the Army of the United States, did desert the same at Fort Gratiot, Michigan, on or about the 4th day of July, 1871, and did remain absent until apprehended as a deserter at Rushville, Indiana, on or about June 5th, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Marcellin Sallé*, Company "H," 1st Infantry, "*To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States; and to be confined at hard labor, at such place as the Commanding General may direct, for the period of one year.*"

5th. Private *Thomas Brophy*, Company "H," 1st Infantry.

CHARGE.—"Desertion."

Specification.—"In this; that he, Private *Thomas Brophy*, Company 'H,' 1st Infantry, having been duly enlisted as a soldier in the Army of the United States, did desert the same, at Fort Gratiot, Michigan, on or about the second day of May, 1874, and did remain absent, until he surrendered himself to the civil authorities as a deserter, at Marine City, Michigan, on or about the 25th day of June, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, except the words, 'did desert the same,' substituting therefor the words, 'absent himself without leave;' and also except the words, 'as a deserter;' and to the excepted words, Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Brophy*, Company "H," 1st Infantry, "*To forfeit all pay and allowances that are now due him; to be confined in charge of the guard, for the period of one year; and to forfeit to the United States eight dollars per month of his monthly pay, for the same period.*"

II...The proceedings, findings and sentence in the foregoing case of Private *Kyram Fitzpatrick*, Company "E," 1st Infantry, are approved. In view of the peculiar circumstances of the case, and the recommendation of Court, so much of the sentence as relates to future forfeiture of pay and allowances, dishonorable discharge, and confinement, is remitted. As thus mitigated, the sentence will be duly executed. Private *Fitzpatrick* will be released from confinement and restored to duty.

The proceedings, findings and sentences in the foregoing cases of Privates *George Tio*, Company "E," *James Reynolds*, Company "B," and *Thomas Brophy*, Company "H," 1st Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentence in the foregoing case of Private *Marcellin Sallé*, Company "H," 1st Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified

the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

Private *Thomas Rowbotham*, Company "D," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., October 7th, 1874.

GENERAL ORDERS
No. 68.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 51, and paragraph IV, Special Orders No. 68, current series, from these Headquarters, and of which Captain D. W. BENHAM, 7th Infantry, is President, was arraigned and tried:

Private *Thomas Rowbotham*, Company "D," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this; that *Thomas Rowbotham*, a private of Company 'D,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert the same, and remain absent until apprehended at Carroll, M. T., on May 15th, 1874. This at or near Carroll, M. T., on or about the 13th day of May, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Rowbotham*, Company "D," 7th Infantry: "*To forfeit to the United States all pay and allowances now due or that may become due; to serve at hard labor, under charge of the post guard, until the 3d day of July*, 1876; *then to be dishonorably discharged from the military service of the United States.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *Thomas Rowbotham*, Company "D," 7th Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *William J. Duncan*, Company "L," 7th Cavalry.
2. Private *Gottleib Gruber*, Company "B," 6th Infantry.
3. Private *William Skinner*, Company "A," 6th Infantry.
4. Private *Albert Weems*, Company "K," 6th Infantry.
5. Trumpeter *Cassius R. Carter*, Company "F," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., October 12th, 1874.

GENERAL ORDERS No. 69.

I...Before a General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 85, current series, from these Headquarters, and of which Captain WILLIAM THOMPSON, 7th Cavalry, is President, were arraigned and tried:

1st. Private *William J. Duncan*, Company "L," 7th Cavalry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In; that he, Private *William J. Duncan*, Company 'L,' 7th Cavalry, did make or cause to be made, an order on S. A. Dickey, Post Trader, at Fort A. Lincoln, D. T., as follows:

'FORT A. LINCOLN, D. T.,
April 9th, 1874.

'$3.00.

'S. A. Dickey, Post Trader, will sell the bearer, William J. Duncan, enlisted man in Company 'L,' 7th Cavalry, three dollars worth of goods, the same to be collected at the next payment of the Company.'

and did sign or cause to be signed thereto, the name of his Company Commander, 2d Lieutenant G. D. Wallace, 7th Cavalry, and did obtain from S. A. Dickey, Post Trader, Fort A. Lincoln, D. T., on said order, goods to the amount of three dollars. This at or near Fort A. Lincoln, D. T., on or about the 9th day of April, 1874."

Specification II.—"In; that he, Private *William J. Duncan*, Company 'L,' 7th Cavalry, did make, or cause to be made, an order on S. A. Dickey, Post Trader at Fort A. Lincoln, D. T., as follows:

FORT A. LINCOLN, D. T.,
'*April* 23*d*, 1874.

'$2.00.

'S. A. Dickey, Post Trader, will sell the bearer, William J. Duncan, Company 'L,' 7th Cavalry, two dollars worth of goods, the same to be collected at the next payment of the Company.'

and did sign or cause to be signed thereto, the name of his Company Commander, 2d Lieutenant G. D. Wallace, 7th Cavalry, and did obtain from S. A. Dickey, post trader, Fort A. Lincoln, D. T., on said order, goods to the amount of two dollars. This at Fort A. Lincoln, D. T., on or about the 23d day of April, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William J. Duncan*, Company "L," 7th Cavalry: "*To forfeit to the United States*

all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States; and to be confined thereafter at such military prison as the Department Commander may designate, at hard labor, for a period of nine (9) *months.*"

2d. Private *Gottleib Gruber*, Company "B," 6th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this; that he, Private *Gottleib Gruber*, Company 'B,' 6th Infantry, did introduce into the garrison at Fort A. Lincoln, D. T., four (4) bottles of whiskey, and did sell the same to members of the detachment of Indian scouts stationed at the post. This at Fort A. Lincoln, D. T., on or about the 16th day of May, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except of the word and figure 'four (4),' and substituting therefor the word and figure 'one (1);' and except of the word 'members,' and substituting therefor the words, 'a member;' and of the excepted words, Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Gottleib Gruber*, Company "B," 6th Infantry: "*To forfeit to the United States all pay now due or that may become due; and to be dishonorably discharged the service.*"

3d. Private *William Skinner*, Company "A," 6th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification,—"In: that Private *William Skinner*, 'A' Company, 6th Infantry, did, when ordered on fatigue duty, by 1st Sergeant Harry Hudson, 'A' Company, 6th Infantry, positively refuse to obey said order. This at Fort Abraham Lincoln, D. T., August 21, 1874."

CHARGE II.—"Disobedience of orders, in violation of the 9th Article of War."

Specification I.—"In; that Private *William Skinner*, 'A' Company, 6th Infantry, when ordered by his Company Commander, Captain J. S. Poland, 6th Infantry, to report to Lieutenant Wm. Badger, 6th Infantry, for orders, did say to his Commanding Officer, 'I won't do it;' and did thus refuse to obey the lawful order of his superior officer. This at Fort Abraham Lincoln, D. T., August 21, 1874."

Specification II.—"In; that Private *William Skinner*, 'A' Company, 6th Infantry, when ordered by his Commanding Officer, Captain J. S. Poland, 6th Infantry, to go to the commissary storehouse, and obtain for and deliver to 1st Lieutenant William Badger, 6th Infantry, certain subsistence stores, did say to his Commanding Officer, Captain J. S. Poland, 6th Infantry, 'I didn't enlist for that,' 'I don't consider it my duty, and I won't do it,' and did in the manner and language aforesaid refuse to obey the lawful orders of his superior officer. This at Fort Abraham Lincoln, D. T., August 21, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Skinner*, Company "A," 6th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due, the just dues of the laundress excepted; and to be confined in such military prison as the Department may designate, for the period of one year; after which to be dishonorably discharged from the service.*"

4th. Private *Albert Weems*, Company "K," 6th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this; that Private *Albert Weems*, Company 'K,' 6th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on the 18th day of July, 1874, and did remain so absent until apprehended near Fort Benton, Montana Territory, on the 21st day of July, 1874."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this; that Private *Albert Weems*, Company 'K,' 6th Infantry, did on the 18th day of July, 1874, feloniously take, steal and carry away, and appropriate to his own use, one (1) Springfield, B. L. musket, model 1868, cal. .50, one (1) gun-sling, one (1) pair great-coat straps, one (1) pair steady-straps (for

valise), one (1) canteen, eighty (80) metallic ball cartridges, cal. .50, and two (2) brass letters 'K,' amounting in value to fifty-six dollars and twenty-five cents ($56.25,) the property of the United States, and for which 1st Lieutenant D. Mortimer Lee, 6th Infantry, is responsible. All this at camp on Box Elder Creek, Montana Territory, on the 18th day of July, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Albert Weems*, Company "K," 6th Infantry: "*To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged the service, and to be confined thereafter at such military prison as the Department Commander may designate, for the period of three* (3) *years.*"

5th. Trumpeter *Cassius R. Carter*, Company "F," 7th Cavalry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In; that Trumpeter *Cassius R. Carter*, Company 'F,' 7th Cavalry, did steal and carry away from the company wagon, for the purpose of appropriating the same to his own use and benefit: one sack, containing oats and corn (weighing 60 pounds, more or less), valued at one dollar and twenty-one cents ($1.21), the property of the United States, and for which Captain Geo. W. Yates, 7th Cavalry, is responsible. This in camp Company 'F,' 7th Cavalry, on Heart River, Dakota, August 25th, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Trumpeter *Cassius R. Carter*, Company "F," 7th Cavalry: "*To forfeit to the United States five dollars* ($5.00) *of his monthly pay for one month.*"

II...The proceedings, findings and sentence in the foregoing case of Private *William J. Duncan*, Company "L," 7th Cavalry, are approved. So much of the sentence as relates to confinement is remitted. As thus mitigated the sentence will be duly executed. He will be released from confinement and restored to duty.

The proceedings, findings and sentence in the foregoing case of Private *Gottleib Gruber*, Company "B," 6th Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings and sentence in the foregoing case of Pri-

vate *William Skinner*, Company "A," 6th Infantry, are approved, and the sentence will be duly executed. The post where his company may be serving, is designated as the place of confinement.

The proceedings, findings and sentence in the foregoing case of Private *Albert Weems*, Company "K," 6th Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified the sentence will be duly executed. The post where his company may be serving is designated as the place of confinement.

The proceedings in the foregoing case of Trumpeter *Cassius R. Carter*, Company "F," 7th Cavalry, are approved. The findings are disapproved, as, taken in connection with the statement of the prisoner, his plea of guilty is negatived. From all that appears of record, the essential elements to constitute the crime of theft are entirely wanting. Trumpeter *Cassius R. Carter* will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Abraham Lincoln, D. T., by virtue of paragraph I, Special Orders No. 85, current series, from these Headquarters, and of which Captain WILLIAM THOMPSON, 7th Cavalry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 16th, 1874.

GENERAL ORDERS
No. 70.

Post Commanders will cause their respective Quartermasters to prepare and forward, through them, to these headquarters, the requisite annual estimates for supplies for the fiscal year, commencing July 1st, 1875, and ending June 30th, 1876, as follows:

1. FUEL.—To set forth the number and grade of officers; the number of enlisted men and laundresses; the number of offices, storehouses, guard and hospital fires, &c., and the allowance in each case, agreeably to the Regulations, and also the total quantity required, from which will be deducted the probable quantity on hand July 1st, 1875. The estimate will also show the quantity on hand at date of estimate, and a line or column left blank to insert the quantity recommended by the reviewing officer at Department Headquarters.

2. FORAGE.—To set forth the number and kind of animals, whether horses, mules, or oxen, public or private, and whether for companies, bands, or in the Quartermaster's Department, &c., and otherwise, as in the case of fuel.

3. STRAW for bedding.—To set forth the number of enlisted men, laundresses, horses, and mules, and for hospitals, and otherwise, as in the above cases.

4. STATIONERY.—To set forth the number of Company Commanders and other officers, the quantity required (in separate items) for Staff departments, military courts and boards, &c., and otherwise, as in the above cases.

5. BARRACKS AND OFFICE FURNITURE, including material for manufacture and repairs. To show for what specific purpose the articles are required. Where the allowance is fixed by Regulations, the estimates will be made to conform thereto, and otherwise, as in above cases, so far as applicable.

6. Means of Transportation.—This estimate will embrace all the articles for transportation service, such as mules, wagons, ambulances, harness, saddles and bridles for the Quartermaster's Department, and articles necessary for the outfit of trains, and for repairs, and otherwise, as in the above cases, so far as applicable. The column of remarks will show the specific purpose for which the articles are required, and the size, description, &c., of said articles.

7. Barracks and Quarters.—This estimate will embrace all the material required for new buildings, and for repairs (other than hospital); the kind and quantity for each building to be stated separately. In the case of new buildings, plans thereof must be sent. The size of sash, glass, doors, nails, &c., will be given, and otherwise, as in above cases, so far as applicable. Full explanations must accompany this estimate, showing the particular necessity for each and every article called for, and the probable cost thereof. If skilled labor, to guide and direct the enlisted men who may be employed on the work, is required, the cost thereof must be set forth in the estimate; otherwise it will be understood that all the service can be performed by enlisted men.

8. Stoves, Pipe, &c.—Description and sizes to be given, and otherwise, as in above cases.

9. Machinery (including parts for repairs).—Sizes to be given, and when parts are required, accurate and complete descriptions should be stated, with name of maker, and otherwise, as in foregoing cases.

10. Horse Medicines and Veterinary Instruments.—To set forth the number of animals, public and private, and to conform to the allowance established by the War Department, and otherwise, as in foregoing cases.

11. Tools.—To embrace blacksmiths', carpenters', wheelwrights,' masons', and miscellaneous tools, but each kind will be entered under its appropriate classification, and otherwise, as in foregoing cases.

12. Miscellaneous Stores for expenditure.—To cover all the articles required on account of the Quartermaster's Department, not specially estimated for as above. The size and special use for each article to be set forth, and otherwise, as in foregoing cases.

The estimate for *Barracks and Quarters*, in triplicate, should be forwarded in time to reach these headquarters by the 1st of March, 1875. All of the other foregoing called-for estimates, also in triplicate, must

be forwarded in time to reach these headquarters not later than December 1st, 1874.

13. Clothing, Camp and Garrison Equipage.—This estimate will be made out in *quadruplicate*, agreeably to Form 48 of the Quartermaster's Department, published in War Department General Orders No. 7, of 1872, and will be prepared and forwarded in accordance with the instructions contained in War Department General Orders No. 114, of 1874. These instructions will also apply in the case of officers, other than Company Commanders, requiring clothing and equipage.

14. Hospitals.—Estimates for repairs, alterations or additions to hospitals will be prepared and forwarded as provided by War Department General Orders No. 65, of 1874.

When any of the articles required are procurable at or in the vicinity of the posts, the prices at which they can be obtained will be stated.

The estimates will be carefully examined and revised by Post Commanders, and be accompanied by such recommendations and remarks as they may deem necessary for the information of the Department Commander, or for the best interests of the service.

Suggestions are invited as to the best markets for procuring supplies, and particularly in the case of *fuel*, whether hard or soft wood or coal should be procured, and in the case of hay, as well as wood, whether the same can be cut from land within the military reservation.

In all cases where articles, in number or quantity, are required in excess of the allowance established by Regulations or Orders, such excessive quantity will be stated in a separate item, upon the appropriate estimate, and the exigency of the service, or the peculiar circumstances which render such action necessary, will be fully set forth.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 17th, 1874.

GENERAL ORDERS No. 71.

I....Post Commanders will cause the Acting Commissary of Subsistence of their respective posts, to make the following annual requisitions for subsistence supplies, for the fiscal year ending June 30th, 1876.

a. For articles of the ration, tobacco, forage for beef cattle, and articles authorized to be kept on hand for sales to officers and enlisted men.

b. For articles of Commissary property.

These requisitions will be made for the period commencing December 1st, 1874, and ending June 30th, 1876, and in accordance with Circular No. 10, of 1867, from the Commissary General of Subsistence.

They will be prepared at once, except the entries on the lines of the form "No. of rations on hand, this——day of——," and "No. of rations to be supplied."

On December 1st, 1874, the number of rations or quantities actually on hand on that date will be inserted, and the requisitions at once completed and forwarded, through the Post Commander, to these Headquarters.

All supplies on hand, December 1st, 1874, must be shown by the requisitions, if no more of any article is required, that fact must be indicated by a zero in the proper place, not by omitting the article from the requisition.

Before December 1st, Post Commissaries will carefully examine all supplies on hand, and in the letters transmitting the requisitions, state in detail what quantities are damaged or unfit for issue. In such letters they will also state whether any of the articles can be purchased in the vicinity of their posts, and if so, in what quantities and at what prices.

II...A requisition, in the form of an abstract, with the applications

of the officers as vouchers, will at the same time be forwarded, for articles desired by officers under the provisions of the latter part of paragraph II, Circular No. 1, of 1874, from the Commissary General of Subsistence.

III...These papers will be made in triplicate, one copy for retention at the post, and two copies for these headquarters.

IV...Post Commanders will carefully revise these requisitions, and see that they are forwarded so as to reach these headquarters before January 1st, 1875.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

1. Private *Richard McGill*, Company "C," 20th Infantry.
2. Private *James Donegan*, Company "C," 20th Infantry.
3. Private *James Rooney*, Company "C," 20th Infantry.
4. Private *Daniel O'Connell*, Company "C," 20th Infantry.
5. Private *James Beaton*, Company "C," 20th Infantry.
6. Private *Edward J. McDonald*, Company "C," 20th Infantry.
7. Private *David Hillborn*, Company "H," 20th Infantry.
8. Private *Thomas Aldworth*, Company "H," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 26th, 1874.

GENERAL ORDERS No. 72.

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of paragraph I, Special Orders No. 213, current series; from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried:

1st. Private *Richard McGill*, Company "C," 20th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this; that he, Private *Richard McGill*, Company 'C,' 20th Infantry, did absent himself from his company and post without proper authority, about 7 o'clock A. M., September 10th, 1874, and did remain absent until about 8 o'clock P. M., September 15th, 1874. This at Fort Snelling, Minn., on or about the dates specified."

CHARGE II.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this; that he, Private *Richard McGill*, Company 'C,' 20th Infantry, being absent without leave, and having been ordered by his superior officer, 1st Lieutenant J. S. Stafford, 20th Infantry, to report to his company without delay, did fail to obey said order. This at Saint Paul, Minn., September 12th, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Richard McGill*, Company "C," 20th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *per month of his pay, for three* (3) *months, and to be confined* (*on bread and water*) *in the cells, for five* (5) *days.*"

2d. Private *James Donegan*, Company "C," 20th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this; that he, Private *James Donegan*, Company 'C,' 20th Infantry, did absent himself from his company and post, without proper authority, some time before 'reveille,' September 11th, 1874, and did remain absent until about 'retreat,' September 14th, 1874. This at Fort Snelling, Minn., on or about the dates specified."

CHARGE II.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this; that he, Private *James Donegan*, Company 'C,' 20th Infantry, being absent without leave, and having been ordered by his superior officer, 1st Lieutenant J. S. Stafford, 20th Infantry, to return to his company without delay, did fail to obey said order. This at Saint Paul, Minn., on or about September 12th, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Donegan*, "*To forfeit to the United States eight dollars* ($8.00) *per month of his pay, for three* (3) *months, and to be confined* (*on bread and water*) *in the cells, for five* (5) *days.*"

3d. Private *James Rooney*, Company "C," 20th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this; that he, Private *James Rooney*, Company 'C,' 20th Infantry, did absent himself from his company and post, without proper authority, about 'retreat,' September 11th, 1874, and did remain absent until about 'retreat,' September 14th, 1874. This at Fort Snelling, Minn., on or about the dates specified."

CHARGE II.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this; that he, Private *James Rooney*, Company 'C,' 20th Infantry, being absent without leave, and having been ordered by his superior officer, 1st Lieutenant J. S. Stafford, 20th Infantry, to return to his company without delay, did fail to obey said order. This at Saint Paul, Minn., on or about September 12th, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Rooney*, Company "C," 20th Infantry. "*To forfeit to the United States eight dollars* ($8.00) *of his pay per month, for three* (3) *months, and to be confined* (*on bread and water*) *in the cells, for five* (5) *days.*"

4th. Private *Daniel O'Connell*, Company "C," 20th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this; that he, Private *Daniel O'Connell*, Company 'C,' 20th Infantry, did absent himself from his company and post, without proper authority, about guard mount, September 12th, 1874, and did remain absent until about 8 o'clock P. M., September 15th, 1874. This at Fort Snelling, Minn., on or about the dates specified."

CHARGE II.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this; that he, Private *Daniel O'Connell*, Company 'C,' 20th Infantry, being absent without leave, and having been ordered by his superior officer, 1st Lieutenant J. S. Stafford, 20th Infantry, to report to his company without delay, did fail to obey said order. This at Fort Snelling, Minn., September 12th, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Daniel O'Connell*, Company "C," 20th Infantry, "*To forfeit to the United States eight dollars* ($8.00) *per month of his pay, for three* (3) *months, and to be confined* (*on bread and water*) *in the cells, for five* (5) *days.*"

5th. Private *James Beaton*, Company "C," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this; that he, Private *James Beaton*, Company 'C,' 20th Infantry, did desert the service of the United States from Fort Snelling, Minn., on or about September 19th, 1874, remaining absent from his company and post until September 27th, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, except the words, 'did desert the service of the United States,' substituting therefor the words, 'did absent himself;' of the excepted words, Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'did desert the service of the United States,' substituting therefor the words, 'did absent himself;' of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty, but Guilty of 'absence without leave.'"

SENTENCE.

And the Court does therefore sentence him, Private *James Beaton*, Company "C," 20th Infantry: "*To forfeit to the United States* $10.00 *per month of his monthly pay, for three* (3) *months, and to be confined* (*on bread and water*) *in the cells for five* (5) *days.*"

6th. Private *Edward J. McDonald*, Company "C," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this; that he, Private *Edward J. McDonald*, Company 'C,' 20th Infantry, did desert the service of the United States from Fort Snelling, Minn., on or about September 19th, 1874, remaining absent from his company and post until September 27th, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, except the words, 'did desert the service of the United States,' substituting therefor the words, 'did absent himself;' of the excepted words, Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'did desert the service of the United States,' substituting therefor the words, 'did absent himself;' of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty, but Guilty of 'absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private *Edward J. McDonald*, Company "C," 20th Infantry: "*To forfeit to the United States* $10.00 *per month of his pay for three* (3) *months, and to be confined* (*on bread and water*) *for five* (5) *days, in the cells.*"

7th. Private *David Hillborn*, Company "H," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this; that Private *David Hillborn*, Company 'H,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert the same from Fort Snelling, Minn., on or about the 20th day of September, 1874, and did remain so absent until about 10 o'clock A. M., September the 27th, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, except the words, 'did desert the same,' substituting therefor the words, 'did absent himself;' to the excepted words, Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'did desert the same,' substituting therefor the words, 'did absent himself;' of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty, but Guilty of 'absence without leave.'"

SENTENCE.

And the Court does therefore sentence him, Private *David Hillborn*, Company "H," 20th Infantry: "*To forfeit to the United States ten dollars* ($10.00) *per month of his monthly pay, for* (3) *three months, and to be confined* (*on bread and water*) *in the cells for five* (5) *days.*"

8th. Private *Thomas Aldworth*, Company "H," 20th Infantry.

CHARGE.—"Conduct prejudical to good order and military discipline."

Specification.—"In this; that Private *Thomas Aldworth*, Company 'H,' 20th Infantry, being ordered to go to the guard-house by Corporal McCormick, he, Corporal McCormick being in the proper performance of his duty, did refuse to go, saying, 'I will not,' and afterwards while being taken there, did resist the said Corporal McCormick, and did strike at him with his clenched fist or hand. This at Fort Snelling, Minn., on the 28th day of September, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Aldworth*, Company "H," 20th Infantry, "*To forfeit to the United States ten dollars* ($10.00) *of his pay per month, for three* (3) *months, and to be confined in charge of the guard breaking stone, for twenty* (20) *days, from fatigue call A. M., until recall P. M. each day.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Richard McGill*, *James Donegan*, *James Rooney*, *Daniel O'Connell*, *James Beaton* and *Edward J. McDonald*, Company "C," *David Hillborn* and *Thomas Aldworth*, Company "H," 20th Infantry, are approved, and the sentences will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

Private *John Ferguson*, Company "B," 1st Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 27th, 1874.

GENERAL ORDERS }
No. 73. }

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of paragraph I, Special Orders No. 161, current series, from these Headquarters, and of which Captain R. H. OFFLEY, 1st Infantry, is President, was arraigned and tried:—

Private *John Ferguson*, Company "B," 1st Infantry.

CHARGE I.—"Violation of the 9th Article of War."

Specification.—"That Private *John Ferguson*, Company 'B,' 1st Infantry, a duly detailed member of the post guard, did, while being inspected at guard mounting, by the Post Adjutant, refuse going to the rear of the guard, being twice ordered to do so by the Post Adjutant. This at Fort Sully, D. T., on the 14th of August, 1874."

CHARGE II.—"Violation of the 6th Article of War."

Specification.—"That Private *John Ferguson*, Company 'B,' 1st Infantry, a duly detailed member of the post guard, did, while the guard was being inspected, use the following language to the Post Adjutant, viz.: 'You God damn miserable curse, you don't know how to inspect a gun, God damn you, I will put a cartridge in my gun and shoot you, you God damn son-of-a-b——, I will

fix you before I leave this post,' or words to that effect. This at Fort Sully, D. T., on the 14th of August, 1874."

CHARGE III.—"Conduct to the prejudice of good order and military discipline."

Specification.—"That Private *John Ferguson,* Company 'B,' 1st Infantry, a duly detailed member of the post guard, on being rejected from the guard, while the guard was being inspected at guard mounting, did resist being taken to the guard-house by the 1st Sergeant of his company, who was ordered by the Post Adjutant to confine him. This at Fort Sully, D. T., on the 14th of August, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification,* "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification,* "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Ferguson*, Company "B," 1st Infantry. "*To forfeit to the United States all pay and allowances now due or to become due him, except the just dues of the laundress; to be dishonorably discharged the service of the United States; and to be confined at hard labor at such military prison as the Commanding General may direct, for the period of one year.*"

II...It appearing that in the original order convening the court before which Private *Ferguson* was tried—and which court consisted of five members—there was an omission to state that no other officers than those named could be assembled without manifest injury to the service, and as, under the rulings of the Judge Advocate General, such omission constitutes a fatal defect, the proceedings are disapproved. Private *Ferguson* will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Sully, D. T., by virtue of paragraph I, Special Orders No. 161, current series, from these Headquarters, and of which Captain R. H. OFFLEY, 1st Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

Private *Thomas Smith*, Company "C," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 28th, 1874.

GENERAL ORDERS }
No. 74. }

I...Before a General Court Martial which convened at Fort Seward, D. T., by virtue of paragraph III, Special Orders No. 223, current series, from these Headquarters, and of which Major O. D. GREENE, Assistant Adjutant General, U. S. Army, is President, was arraigned and tried:—

Private *Thomas Smith*, Company "C," 17th Infantry.

CHARGE.—"Conduct prejudical to good order and military discipline."

Specification I.—"In this; that he, Private *Thomas Smith*, Company 'C,' 17th U. S. Infantry, did attempt to commit a rape on the person of Bridget Johnson, seven years of age, daughter of Lottie Johnson, laundress of Company 'C,' 17th U. S. Infantry. This at or near Fort Wadsworth, D. T., on or about the 22d day of September, 1874."

Specification II.—"In this; that he, Private *Thomas Smith*, Company 'C,' 17th U. S. Infantry, did attempt to leave the garrison with a musket without permission, and when ordered by 1st Sergeant James Johnston, to return with the gun to the quarters, did load, cock, and aim the musket at 1st Sergeant James Johnston, imme-

diately after saying, 'Johnston, if you follow me any further—' and did then leave the garrison, and remain absent until arrested about three hours afterwards and brought back under guard. This at or near Fort Wadsworth, D. T., on or about the 22d day of September, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Smith*, Company "C," 17th U. S. Infantry, "*To forfeit to the United States all pay and allowances now due or to become due him; to be dishonorably discharged the service of the United States, and to be confined at hard labor in such penitentiary as the Department Commander may direct, for the period of five years.*"

II...The proceedings, findings and sentence in the foregoing case of Private *Thomas Smith*, Company "C," 17th Infantry, are approved, and the sentence will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of confinement.

III...The General Court Martial which convened at Fort Seward, D. T., by virtue of paragraph III, Special Orders No. 223, current series, from these Headquarters, and of which Major O. D. GREENE,

Assistant Adjutant General, U. S. Army, is President, is hereby dissolved.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

1st *Lieutenant* 6th *Infantry, A. D. C.*

G. C. M.

1. Private *George Rogers*, Company "K," 7th Infantry.
2. Private *Edward S. Quigley*, Company "G," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., October 30th, 1874.

GENERAL ORDERS }
No. 75. }

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 51, current series, from these Headquarters, and of which Captain D. W. BENHAM, 7th Infantry, is President, were arraigned and tried:

1st. Private *George Rogers*, Company "K," 7th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In: that he, Private *George Rogers*, Company 'K,' 7th Infantry, while on escort duty to Helena, M. T., did feloniously steal and dispose of one (1) breech-loading musket, cal. .50, model 1868, for which Private Joseph A. Widmer, Company 'G,' 7th Infantry, was responsible. All this at Helena, M, T., on or about the 20th of September, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *George Rogers*, Company "K," 7th Infantry.

2d. Private *Edward S. Quigley*, Company "G," 7th Infantry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In this; that he, Private *Edward S. Quigley*, Company 'G,' 7th U. S. Infantry, a member of the post guard, having been duly posted as a sentinel, was found sleeping on his post. This at Fort Shaw, M. T., on or about the 28th day of August, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward S. Quigley*, Company "G," 7th U. S. Infantry, "*To be confined at hard labor under charge of the post guard until the expiration of his term of enlistment*, (*June 22d*, 1875,) *and to forfeit to the United States the sum of twelve dollars* ($12.00) *per month of his monthly pay, for the same period*."

II...The proceedings and findings in the foregoing case of Private *George Rogers*, Company "K," 7th Infantry, are approved. Orders have already been issued for his release from confinement.

The proceedings, findings and sentence in the foregoing case of Private *Edward S. Quigley*, Company "G," 7th Infantry, are approved.

In view of the recommendation of the court to clemency, the sentence is mitigated to confinement at hard labor under charge of the post guard, for three (3) months, with forfeiture of five (5) dollars per month of his monthly pay, for the same period. As thus mitigated the sentence will be duly executed.

By Command of Brigadier General Terry.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 1st, 1874.

GENERAL ORDERS No. 76.

The following Roster is published for the information of this command.

BY COMMAND OF BRIGADIER GENERAL TERRY.

E. W. SMITH,
Captain 18th Infantry, A. D. C.,
Acting Assistant Adjutant General.

OFFICIAL:

1st Lieutenant 6th Infantry, A. D. C.

ROSTER OF TROOPS

Department of Dakota,

BRIG. GEN. ALFRED H. TERRY,

COMMANDING.

HEADQUARTERS, ST. PAUL, MINN.

NOVEMBER 1, 1874.

Department of Dakota,

COMMANDED BY

BRIGADIER GENERAL ALFRED H. TERRY.

TROOPS.

Cavalry.—Companies "F," "G," "H," and "L," of 2d, and the 7th Regiments.

Infantry.—1st, 6th, 7th, 17th, and 20th Regiments.

PERSONAL STAFF.

Captain E. W. Smith, 18th Infantry, Aide-de-Camp.

Captain R. P. Hughes, 3d Infantry, Aide-de-Camp.

First Lieutenant E. B. Gibbs, 6th Infantry, Aide-de-Camp.

DEPARTMENT STAFF.

Major O. D. Greene, Adjutant General's Department, Assistant Adjutant General.

Lieutenant Colonel E. S. Otis, 22d Infantry, Acting Assistant Inspector General.

Major T. F. Barr, Judge Advocate, U. S. A., Judge Advocate.

Major B. C. Card, Quartermaster, U. S. A., Chief Quartermaster.

Captain G. W. Bradley, Assistant Quartermaster, Depot and Disbursing Quartermaster.

First Lieutenant E. B. Gibbs, 6th Infantry, A. D. C., Post Quartermaster.

Major Beekman DuBarry, Commissary of Subsistence, U. S. A., Chief Commissary of Subsistence, Depot, Purchasing and Post Commissary of Subsistence.

Surgeon J. F. Head, U. S. A., Medical Director, and Attending Surgeon.

Major A. H. Seward, Pay Department, Chief Paymaster.

Captain William Ludlow, Corps of Engineers, U. S. A., Chief Engineer.

STAFF OFFICERS ON DUTY IN THE DEPARTMENT, NOT ON THE DEPARTMENT STAFF.

QUARTERMASTER'S DEPARTMENT.

Captain G. B. Dandy, Assistant Quartermaster, Post Quartermaster, Fort Abraham Lincoln, D. T.

Captain J. W. Scully, Assistant Quartermaster, Post Quartermaster, Fort Rice, D. T.

Captain C. W. Foster, Assistant Quartermaster, Depot Quartermaster, and Acting Ordnance Officer, Sioux City, Iowa.

Captain L. C. Forsyth, Assistant Quartermaster, District and Post Quartermaster. Fort Ellis, M. T.

SUBSISTENCE DEPARTMENT.

Captain Charles McClure, Commissary of Subsistence, U. S. A., Sioux City, Iowa.

MEDICAL DEPARTMENT.

Surgeon Anthony Heger, Post Surgeon, Fort Snelling, Minn.

Surgeon J. F. Weeds, Post Surgeon, Fort Abraham Lincoln, D. T.

Assistant Surgeon J. V. D. Middleton, Post Surgeon, Fort Buford, D. T.

Assistant Surgeon H. R. Tilton, Post Surgeon, Fort Sully, D. T.

Assistant Surgeon J. W. Williams, Post Surgeon, Fort Rice, D. T.

Assistant Surgeon J. H. Kinsman, Post Surgeon, Fort Abercrombie, D. T.

Assistant Surgeon J. P. Kimball, Post Surgeon, Fort Randall, D. T.

Assistant Surgeon J. D. Hall, Post Surgeon, Fort Shaw, M. T.

PAY DEPARTMENT.

Major Rodney Smith—Station, Helena, Montana—pays troops in the District of Montana.

Major William Smith—Station, St. Paul, Minn—pays troops in the former District of Minnesota and on Missouri river, from Fort Rice to Fort Buford, D. T., inclusive.

Major G. W. Candee—Station, Sioux City, Iowa—pays troops on Missouri river, from Sioux City, Iowa, to Grand River Agency, D. T., inclusive.

Roster of Troops.

Independent Posts.

STATIONS.	OFFICERS.	TROOPS.
Fort Snelling, Minn.	Colonel George Sykes. Second Lieutenant J. B. Rodman, Adjutant. First Lieutenant T. W. Lord, R. Q. M., A. A. Q. M., and A. C. S., and in charge of Clothing Depot.	Headquarters, 20th Infantry.
	Captain H. G. Thomas. First Lieutenant J. S. Stafford. Second Lieutenant W. H. Low, Jr.	Company "C," 20th Infantry.
	Captain J. N. Coe. First Lieutenant John Bannister.	Company "H," 20th Infantry.
	Surgeon A. Heger.	
Fort Ripley, Minn.	Captain J. C. Bates. *First Lieutenant Alexander Wishart. Second Lieutenant J. F. Huston, Post Adj.	Company "B," 20th Infantry.
	Captain W. S. McCaskey. First Lieutenant J. A. Manley. Second Lieutenant W. H. Hamner, A. A. Q. M. and A. C. S.	Company "G," 20th Infantry.
	Acting Assistant Surgeon G. E. Lord.	
Fort Abercrombie, D. T.	Colonel T. L. Crittenden. *Major R. E. A. Crofton. First Lieutenant W. P. Rogers, Adjutant. First Lieutenant T. G. Troxel, R. Q. M., A. A. Q. M., and A. C. S.	Headquarters, 17th Infantry.
	Captain W. M. Van Horne. First Lieutenant J. M. Burns, Second Lieutenant D. H. Brush.	Company "A," 17th Infantry.
	Captain C. E. Bennett. First Lieutenant H. S. Howe. Second Lieutenant Alexander Ogle.	Company "F," 17th Infantry.
	Assistant Surgeon J. H. Kinsman. Acting Assistant Surgeon H. H. Ruger.	Four Indian scouts.

* See Memoranda.

STATIONS.	OFFICERS.	TROOPS.
Fort Wadsworth, D. T.	Captain E. P. Pearson. First Lieutenant L. M. O'Brien, Post Adjutant, A. A. Q. M. and A. C. S.	Company "B," 17th Infantry.
	Captain Malcolm McArthur. First Lieutenant F. D. Garretty. Second Lieutenant R. T. Lyons.	Company "C," 17th Infantry.
	Acting Assistant Surgeon C. E. McChesney. *Chaplain Hiram Stone.	Six Indian scouts.
Fort Seward, D. T.	Captain J. H. Patterson. First Lieutenant R. M. Taylor, Post Adjutant, A. A. Q. M. and A. C. S. Second Lieutenant C. H. Ribbel.	Company "A," 20th Infantry.
	Acting Assistant Surgeon E. W. Du Bose.	
Fort Totten, D. T.	Lieutenant Colonel L. C. Hunt. *Major M. A. Reno.	20th Infantry. 7th Cavalry.
	Captain T. B. Weir. *First Lieutenant J. M. Bell. Second Lieutenant W. S. Edgerly, Post Adjutant.	Company "D," 7th Cavalry.
	Captain M. W. Keogh, First Lieutenant J. E. Porter, A. A. Q. M. and A. C. S. *Second Lieutenant A. H. Nave.	Company "I," 7th Cavalry.
	Captain William Fletcher. *First Lieutenant L. M. Morris. Second Lieutenant Herbert Cushman.	Company "E," 20th Infantry.
	Captain A. A. Harbach. *First Lieutenant W. W. Wood. Second Lieutanant Alfred Reynolds.	Company "K," 20th Infantry.
	Acting Assistant Surgeon J. B. Ferguson. Acting Assistant Surgeon James Shaw.	Four Indian scouts.
Fort Pembina, D. T.	Major J. E. Yard.	20th Infantry.
	Captain C. O. Bradley. First Lieutenant J. A. Yeckley. *Second Lieutenant H. W. Howgate.	Company "D," 20th Infantry.
	Captain J. S. McNaught. First Lieutenant W. R. Maize, Post Adj't.	Company "F," 20th Infantry.
	Captain Loyd Wheaton. First Lieutenant Paul Harwood, A. A. Q. M. and A. C. S. Second Lieutenant J. G. Gates.	Company "I," 20th Infantry.
	*Acting Assistant Surgeon W. E. Turner. Acting Assistant Surgeon V. Harvard.	

* See Memoranda.

STATIONS.	OFFICERS.	TROOPS.
Fort Buford, D. T.	Colonel W. B. Hazen. Major O. H. Moore. First Lieutenant J. F. Munson, Adjutant. First Lieutenant C. G. Penney, R. Q. M. and A. A. Q. M.	Headquarters, 6th Infantry.
	Captain J. W. Powell, Jr. *First Lieutenant E. B. Gibbs. Second Lieutenant A. M. Wetherill.	Company "C," 6th Infantry.
	Captain D. H. Murdock. First Lieutenant F. W. Thibaut. Second Lieutenant T. G. Townsend.	Company "D," 6th Infantry.
	Captain Thomas Britton. First Lieutenant W. H. H. Crowell. Second Lieutenant R. T. Jacob, Jr.	Company "E," 6th Infantry.
	*Captain W. W. Sanders. First Lieutenant R. H. Day. Second Lieutenant D. L. Craft.	Company "F," 6th Infantry.
	*Captain H. S. Hawkins. *First Lieutenant Nelson Bronson.	Company "G," 6th Infantry.
	Captain E. R. Ames. First Lieutenant S. W. Groesbeck, A. C. S. Second Lieutenant G. B. Walker	Company "I," 6th Infantry.
	Assistant Surgeon J. V. D. Middleton. Acting Assistant Surgeon J. A. McKinney.	Twenty-five Indian scouts.

* See Memoranda.

Middle District.

STATIONS.	OFFICERS.	TROOPS.
†Fort Abraham Lincoln, D. T.	*Colonel S. D. Sturgis. Lieutenant Colonel G. A. Custer. First Lieutenant W. W. Cook, Adjutant. First Lieutenant H. J. Nowlan, R. Q. M.	Headquarters, 7th Cavalry.
	Lieutenant Colonel W. P. Carlin.	17th Infantry.
	Captain G. W. Yates. *First Lieutenant Henry Jackson. *Second Lieutenant C. W. Larned.	Company "F," 7th Cavalry.
	*Captain M. V. Sheridan. *First Lieutenant J. F. Weston. *Second Lieutenant Charles Braden. First Lieutenant T. W. Custer, attached.	Company "L," 7th Cavalry.
	Captain J. S. Poland. First Lieutenant William Badger. Second Lieutenant T. H. Eckerson.	Company "A," 6th Infantry.
	Captain Stephen Baker. *First Lieutenant John Carland. Second Lieutenant T. M. Willey.	Company "B," 6th Infantry.
	Captain L. H. Sanger. First Lieutenant Josiah Chance. Second Lieutenant G. H. Roach.	Company "G," 17th Infantry.
	Captain F. E. Grossmann. First Lieutenant Henry Marcotte.	Company "H," 17th Infantry.
	Captain G. B Dandy, A. Q. M., Post Q. M. Chaplain Moses J. Kelly. Surgeon J. F. Weeds. Acting Assistant Surgeon N. H. Marselis.	Thirty-eight Indian scouts.
†Fort Rice, D. T.	*Major J. G. Tilford.	7th Cavalry.
	Captain V. K. Hart. *First Lieutenant James Calhoun. Second Lieutenant H. M. Harrington, Post Adjutant and A. C. S.	Company "C," 7th Cavalry.
	Captain T. H. French. First Lieutenant E. G. Mathey. *Second Lieutenant R. H. L. Alexander.	Company "M," 7th Cavalry.
	Captain J. W. Scully, A. Q. M., Post Q. M. Assistant Surgeon J. W. Williams. Acting Assistant Surgeon F. A. Davis.	Eight Indian scouts.

* See Memoranda. † See Page 19.

STATIONS.	OFFICERS.	TROOPS.
Fort Stevenson, D. T.	Lieutenant Colonel Daniel Huston, Jr.	6th Infantry.
	Captain J. P. Schindel. First Lieutenant E. B. Atwood. Second Lieutenant C. L. Gurley, Post Adjutant, A. A. Q. M. and A. C. S.	Company "H," 6th Infantry.
	*Captain W. M. Wherry. *First Lieutenant D. M. Lee. Second Lieutenant R. E. Thompson.	Company "K," 6th Infantry.
	Acting Assistant Surgeon John Harvey. Acting Assistant Surgeon S. J. Allen, Jr.	Eight Indian scouts.
Grand River Agency, D. T.	Captain Edward Collins. First Lieutenant C. P. McTaggart, Post Adjutant, A. A. Q. M. and A. C. S. Second Lieutenant H. P. Walker.	Company "E," 17th Infantry.
	Acting Assistant Surgeon A. H. Mann.	
Camp Hancock, D. T.	*Captain C. E. Clarke. First Lieutenant James Humbert, A. A. Q. M. and A. C. S.	Company "D," 17th Infantry.
	Acting Assistant Surgeon H. R. Porter.	

Southern District.

Fort Randall, D. T.	*Colonel T. G. Pitcher. Lieutenant Colonel Pinkney Lugenbeel. *Major O. A. Mack. First Lieutenant Allen Smith, Adjutant. First Lieutenant F. E. Pierce, R. Q. M., A. A. Q. M. and A. C. S.	Headquarters, 1st Infantry.
	Captain W. N. Tisdall. *First Lieutenant F. M. Lynde. Second Lieutenant D. M. Scott.	Company "C," 1st Infantry.
	Captain G. S. Gallupe. *First Lieutenant H. R. Jones. Second Lieutenant M. P. Maus.	Company "D," 1st Infantry.
	Captain R. E. Johnston. First Lieutenant R. G. Armstrong. Second Lieutenant H. C. Johnson.	Company "G," 1st Infantry.
	Captain Fergus Walker. First Lieutenant R. G. Heiner. *Second Lieutenant J. S. Rogers.	Company "I," 1st Infantry.
	Captain Kinzie Bates. *First Lieutenant George Duff. *Second Lieutenant F. H. Edmunds.	Company "K," 1st Infantry.
	Assistant Surgeon J. P. Kimball. Acting Assistant Surgeon A. C. Bergen. *Chaplain J. F. Fish.	

* See Memoranda.

STATIONS.	OFFICERS.	TROOPS.
Fort Sully, D. T.	Captain R. H. Offley. First Lieutenant D. F. Callinan, A. A. Q. M. and A. C. S.	Company "E," 1st Infantry.
	*Captain Garrick Mallery. First Lieutenant G. S. Jennings. *Second Lieutenant C. A. Booth.	Company "B," 1st Infantry.
	Captain Leslie Smith. First Lieutenant Thomas Sharp. Second Lieutenant Matthew Markland.	Company "F," 1st Infantry.
	Captain T. M. Tolman. First Lieutenant John Hamilton. Second Lieutenant H. T. Reed, Post Adj.	Company "H," 1st Infantry.
	Assistant Surgeon H. R. Tilton. Acting Assistant Surgeon A. I. Comfort. Chaplain G. D. Crocker.	Three Indian scouts.
Cheyenne Agency, D. T.	Captain Carlile Boyd. *First Lieutenant C. S. Roberts. Second Lieutenant George Ruhlen, Post Adjutant, A. A. Q. M. and A. C. S.	Company "I," 17th Infantry.
	*Captain J. H. Donovan. First Lieutenant C. H. Greene. Second Lieutenant Robert Cairns.	Company "K," 17th Infantry.
	Acting Assistant Surgeon E. J. Clark.	
Lower Brulé Agency, D. T.	Captain I. D. De Russy. First Lieutenant W. E. Dougherty, A.A.Q.M. and A. C. S. Second Lieutenant J. J. O'Connell, Post Adjutant.	Company "A," 1st Infantry.
	Acting Assistant Surgeon J. C. Byrnes.	

* See Memoranda.

District of Montana.

STATIONS.	OFFICERS.	TROOPS.
Fort Shaw, M. T.	Colonel John Gibbon. *First Lieutenant H. M. Benson, Adjutant. First Lieutenant J. W. Jacobs, R. Q. M., A. A. Q. M. and A. C. S.	Headquarters, 7th Infantry.
	Captain William Logan. First Lieutenant C. A. Coolidge. Second Lieutenant W. St. C. Long.	Company "A," 7th Infantry.
	Captain Richard Comba. First Lieutenant Daniel Robinson. *Second Lieutenant J. T. Van Orsdale.	Company "D," 7th Infantry.
	Captain Constant Williams. First Lieutenant L. F. Burnett.	Company "F," 7th Infantry.
	*Captain G. L. Browning. First Lieutenant G. H. Wright. Second Lieutenant H. A. Irgens.	Company "G," 7th Infantry.
	Captain C. C. Rawn. First Lieutenant W. L. English. Second Lieutenant A. V. Amet.	Company "I," 7th Infantry.
	*Captain J. M. J. Sanno. First Lieutenant A. H. Jackson. Second Lieutenant C. A. Woodruff, Acting Regimental Adjt. and Post Adjutant.	Company "K," 7th Infantry.
	Assistant Surgeon J. D. Hall. Acting Assistant Surgeon C. A. Hart.	
Fort Benton, M. T.	Major Guido Ilges.	7th Infantry.
	Captain T. S. Kirtland. First Lieutenant J. H. Bradley, Post Adjt. Second Lieutenant C. A. Booth, A. A. Q. M. and A. C. S.	Company "B," 7th Infantry.
	Acting Assistant Surgeon W. E. Brandt.	
Camp Baker, near Diamond City, M. T.	Lieutenant Colonel C. C. Gilbert.	7th Infantry.
	*Captain Walter Clifford. First Lieutenant W. I. Reed, A. A. Q. M. Second Lieutenant E. E. Hardin.	Company "E," 7th Infantry.
	Captain H. B. Freeman. First Lieutenant W. H. Nelson. Second Lieutenant F. M. H. Kendrick, Post Adjutant, and A. C. S.	Company "H," 7th Infantry.
	Acting Assistant Surgeon G. S. Oldmixon.	

* See Memoranda.

STATIONS.	OFFICERS.	TROOPS.
Fort Ellis, M. T.	Major N. B. Sweitzer.	2d Cavalry.
	Captain G. L. Tyler. *First Lieutenant F. C. Grugan. Second Lieutenant C. F. Roe.	Company "F," 2d Cavalry.
	*Captain J. N. Wheelan. First Lieutenant G. C. Doane. Second Lieutenant E. J. McClernand.	Company "G," 2d Cavalry.
	Captain Edward Ball. First Lieutenant J. G. MacAdams, A. C. S. Second Lieutenant L. H. Jerome.	Company "H," 2d Cavalry.
	*Captain Lewis Thompson. First Lieutenant S. T. Hamilton. Second Lieutenant C. B. Schofield, Post Adj.	Company "L," 2d Cavalry.
	Captain D. W. Benham. First Lieutenant William Quinton. Second Lieutenant C. A. Worden.	Company "C," 7th Infantry.
	Captain L. C. Forsyth, A. Q. M., District and Post Quartermaster. Acting Assistant Surgeon R. M. Whitefoot. Acting Assistant Surgeon W. C. W. Glazier.	

* See Memoranda.

MEMORANDA.

OFFICERS ABSENT FROM THEIR PROPER STATIONS.

Colonel T. G. PITCHER, 1st Infantry, Governor of Soldiers' Home, Washington, D. C.

Colonel S. D. STURGIS, 7th Cavalry, Superintendent Mounted Recruiting Service, Station, St. Louis, Mo.

Major O. A. MACK, 1st Infantry, at War Department, Washington, D. C.

Major J. G. TILFORD, 7th Cavalry, granted leave of absence for one month, with permission to apply for an extension of two months, per Department Special Orders No. 230, current series.

Major R. E. A. CROFTON, 17th Infantry, on General Recruiting Service, Commanding Depot at Governor's Island, New York Harbor.

Major M. A. RENO, 7th Cavalry, on leave of absence since September 21, 1874, for one month, per Department Special Orders No. 176, current series. Extended thirty days, per Special Orders No. 75, current series, Military Division of the Missouri. Further extended eight months, with permission to visit Europe, per Special Order No. 217, current series, Adjutant General's Office.

Chaplain J. F. FISH, on leave of absence for one month, since October 2, 1874, with permission to apply for an extension of one month, per Department Special Orders No. 189, current series.

Chaplain HIRAM STONE, absent, sick, on Surgeon's certificate of disability.

Captain LEWIS THOMPSON, 2d Cavalry, absent with leave on Surgeon's certificate of disability.

Captain J. N. WHEELAN, 2d Cavalry, granted leave of absence for one month, on Surgeon's certificate of disability, per Department Special Orders No. 210, current series. Extended five months, with permission to go beyond sea, per Special Orders No. 221, current series, Adjutant General's Office.

Captain M. V. SHERIDAN, 7th Cavalry, Aide-de-Camp to Lieutenant General P. H. Sheridan, Commanding Military Division of the Missouri.

Captain GARRICK MALLERY, 1st Infantry, at Washington, D. C., Assistant to the Chief Signal Officer.

Captain W. W. SANDERS, 6th Infantry, Aide-de-Camp to Brevet Major General W. H. Emory, Commanding Department of the Gulf.

Captain H. S. HAWKINS, 6th Infantry, on leave of absence for one month, per Department Special Orders No. 186, current series. Extended six months, per Special Orders No. 207, current series, Adjutant General's Office.

Captain W. M. WHERRY, 6th Infantry, Aide-de Camp to Major General J. M. Schofield, Commanding Military Division of the Pacific, and the Department of California.

Captain G. L. BROWNING, 7th Infantry, on leave of absence since June 20, 1874, for one month, on Surgeon's certificate of disability, per Department Special Orders No. 119, current series. Extended five months, with permission to go beyond sea, per Special Orders No. 145, current series, Adjutant General's Office.

Captain WALTER CLIFFORD, 7th Infantry, absent, sick, since January 11, 1872.

Captain J. M. J. SANNO, 7th Infantry, granted leave of absence for one year, per Special Orders No. 221, current series, Adjutant General's Office.

Captain J. H. DONOVAN, 17th Infantry, absent with leave on Surgeon's certificate of disability.

Captain C. E. CLARKE, 17th Infantry, absent on Surgeon's certificate of disability.

First Lieutenant F. C. GRUGAN, 2d Cavalry, on detached service under orders of the Chief Signal Officer of the Army, per Special Orders No. 127, Adjutant General's Office, 1873.

First Lieutenant J. M. BELL, 7th Cavalry, on detached service with battalion of the 7th Cavalry, in the Department of the Gulf.

First Lieutenant HENRY JACKSON, 7th Cavalry, on detached service in the office of the Chief Signal Officer of the Army, per Special Orders No. 306, Adjutant General's Office, 1871.

First Lieutenant J. F. WESTON, 7th Cavalry, at Artillery School, Fortress Monroe, Virginia.

First Lieutenant JAMES CALHOUN, 7th Cavalry, on temporary detached duty at Fort Abraham Lincoln, D. T., per Department Special Orders No. 273, of 1873.

First Lieutenant H. R. JONES, 1st Infantry, absent on Surgeon's certificate of disability.

First Lieutenant F. M. LYNDE, 1st Infantry, on General Recruiting Service—Station unknown.

First Lieutenant GEORGE DUFF, 1st Infantry, absent on Surgeon's certificate of disability.

First Lieutenant D. M. LEE, 6th Infantry, granted leave of absence for one month, on Surgeon's certificate of disability, per Department Special Orders No. 201, current series.

First Lieutenant JOHN CARLAND, 6th Infantry, granted leave of absence for one month, with permission to apply for an extension of four months, per Department Special Orders No. 187, current series.

First Lieutenant E. B. GIBBS, 6th Infantry, Aide-de-Camp to Brigadier General A. H. Terry, Commanding Department of Dakota.

First Lieutenant NELSON BRONSON, 6th Infantry, absent with leave on Surgeon's certificate of disability.

First Lieutenant H. M. BENSON, 7th Infantry, on General Recruiting Service—Station unknown.

First Lieutenant C. S. ROBERTS, 17th Infantry, on General Recruiting Service—Station unknown.

First Lieutenant ALEXANDER WISHART, 20th Infantry, absent on Surgeon's certificate of disability.

First Lieutenant L. M. MORRIS, 20th Infantry, on General Recruiting Service—Station unknown.

First Lieutenant W. W. WOOD, 20th Infantry, absent with leave on Surgeon's certificate of disability.

Second Lieutenant CHARLES BRADEN, 7th Cavalry, absent with leave on Surgeon's certificate of disability.

Second Lieutenant C. W. LARNED, 7th Cavalry, on detached service at West Point, New York, Special Orders No. 156, current series, Adjutant General's Office.

Second Lieutenant A. H. NAVE, 7th Cavalry, absent on Surgeon's certificate of disability.

Second Lieutenant R. H. L. ALEXANDER, 7th Cavalry, absent on Surgeon's certificate of disability.

Second Lieutenant C. A. BOOTH, 1st Infantry, on leave of absence for six months, per Special Orders No. 203, current series, Adjutant General's Office.

Second Lieutenant J. S. ROGERS, 1st Infantry, on detached service at Detroit High School, Michigan, per Special Orders No. 78, current series, Adjutant General's Office.

Second Lieutenant F. H. EDMUNDS, 1st Infantry, on detached service at West Point, New York, per Special Orders No. 173, Adjutant General's Office, 1873.

Second Lieutenant J. T. VAN ORSDALE, 7th Infantry, on leave of absence for thirty days, since July 16, 1874, per Department Special Orders No. 130, current series. Extended thirty days, per Special Orders No. 53, current series, Military Division of the Missouri; thirty days, per Special Orders No. 26, current series, Headquarters of the Army, and three months, per Special Orders No. 209, current series, Adjutant General's Office.

Second Lieutenant H. W. HOWGATE, 20th Infantry, on detached service in the office of the Chief Signal Officer of the Army.

Acting Assistant Surgeon W. E. TURNER, U. S. A., directed to report at these Headquarters for further orders.

STATIONS OF TROOPS BY COMPANIES.

Department of Dakota.

REGIMENT.	COMPANY	STATION.
2d Cavalry, DETACHMENT, FORT ELLIS, - M. T.	F.	Fort Ellis, Montana Territory.
	G.	Fort Ellis, Montana Territory.
	H.	Fort Ellis, Montana Territory.
	L.	Fort Ellis, Montana Territory.
7th Cavalry, DETACHMENT, HEADQUARTERS, FORT A. LINCOLN, D. T.	C.	Fort Rice, Dakota Territory.
	D.	Fort Totten, Dakota Territory.
	F.	Fort Abraham Lincoln, Dakota Ter.
	I.	Fort Totten, Dakota Territory.
	L.	Fort Abraham Lincoln, Dakota Ter.
	M.	Fort Rice, Dakota Territory.
1st Infantry, HEADQUARTERS, FORT RANDALL, - D. T.	A.	Lower Brulé Agency, Dakota Ter.
	B.	Fort Sully, Dakota Territory.
	C.	Fort Randall, Dakota Territory.
	D.	Fort Randall, Dakota Territory.
	E.	Fort Sully, Dakota Territory.
	F.	Fort Sully, Dakota Territory.
	G.	Fort Randall, Dakota Territory.
	H.	Fort Sully, Dakota Territory.
	I.	Fort Randall, Dakota Territory.
	K.	Fort Randall, Dakota Territory.
6th Infantry, HEADQUARTERS, FORT BUFORD, - D. T.	A.	Fort Abraham Lincoln, Dakota Ter.
	B.	Fort Abraham Lincoln, Dakota Ter.
	C.	Fort Buford, Dakota Territory.
	D.	Fort Buford, Dakota Territory.
	E.	Fort Buford, Dakota Territory.
	F.	Fort Buford, Dakota Territory.
	G.	Fort Buford, Dakota Territory.
	H.	Fort Stevenson, Dakota Territory.
	I.	Fort Buford, Dakota Territory.
	K.	Fort Stevenson, Dakota Territory.

7th Infantry, HEADQUARTERS, FORT SHAW, - - M. T.	A.	Fort Shaw, Montana Territory.
	B.	Fort Benton, Montana Territory.
	C.	Fort Ellis, Montana Territory.
	D.	Fort Shaw, Montana Territory.
	E.	Camp Baker, Montana Territory.
	F.	Fort Shaw, Montana Territory.
	G.	Fort Shaw, Montana Territory.
	H.	Camp Baker, Montana Territory.
	I.	Fort Shaw, Montana Territory.
	K.	Fort Shaw, Montana Territory.
17th Infantry, HEADQUARTERS, FORT ABERCROMBIE, D.T.	A.	Fort Abercrombie, Dakota Territory.
	B.	Fort Wadsworth, Dakota Territory.
	C.	Fort Wadsworth, Dakota Territory.
	D.	Camp Hancock, Dakota Territory.
	E.	Grand River Agency, Dakota Ter.
	F.	Fort Abercrombie, Dakota Territory.
	G.	Fort Abraham Lincoln, Dakota Ter.
	H.	Fort Abraham Lincoln, Dakota Ter.
	I.	Cheyenne Agency, Dakota Territory.
	K.	Cheyenne Agency, Dakota Territory.
20th Infantry, HEADQUARTERS, FORT SNELLING, MINN.	A.	Fort Seward, Dakota Territory.
	B.	Fort Ripley, Minnesota.
	C.	Fort Snelling, Minnesota.
	D.	Fort Pembina, Dakota Territory.
	E.	Fort Totten, Dakota Territory.
	F.	Fort Pembina, Dakota Territory.
	G.	Fort Ripley, Minnesota.
	H.	Fort Snelling, Minnesota.
	I.	Fort Pembina, Dakota Territory.
	K.	Fort Totten, Dakota Territory.

Companies "A," "B," "E," and "G," 7th Cavalry, from Fort Abraham Lincoln, D. T., and "H" and "K," same regiment, from Fort Rice, D. T., on detached service in the Department of the Gulf, in compliance with telegraphic instructions from Headquarters, Military Division of the Missouri, dated September 28th, and Department Special Orders No. 215, current series.

G. C. M.

1. Private *Michael Morton*, Company "B," 7th Infantry.
2. Private *B. F. Williams*, Company "B," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 6th, 1874.

GENERAL ORDERS No. 77.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 51, current series, from these Headquarters, and of which Captain D. W. BENHAM, 7th Infantry, is President, were arraigned and tried:—

1st. Private *Michael Morton*, Company "B," 7th Infantry.

CHARGE I.—"Violation of the 46th Article of War."

Specification.—"In; that Private *Michael Morton*, Company 'B,' 7th Infantry, having been duly mounted as a member of the post guard, and regularly posted as a sentinel at 3 o'clock A. M., August 10th, 1874, did quit his post without being regularly relieved or urgent necessity, and go to the town of Fort Benton. This at Fort Benton, M. T., on the date above specified."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In; that Private *Michael Morton*, Company 'B,' 7th Infantry, being a member of the post guard, and placed in charge of prisoner James Lynch, same company and regiment, did permit the said prisoner to leave his custody and go to the

town of Fort Benton, unattended. This at Fort Benton, M. T., on the morning of August 10th, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Morton*, Company "B," 7th Infantry, "*To be confined at hard labor under charge of the post guard, for the period of six* (6) *months; and to forfeit to the United States the sum of ten dollars* ($10.00) *per month of his monthly pay, for the same period.*"

2d. Private *B. F. Williams*, Company "B," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In; that Private *B. F. Williams*, Company 'B,' 7th Infantry, did introduce into the post of Fort Benton, M. T., and

did have in his possession a bottle of whiskey. This in violation of a standing order of his company at Fort Benton, M. T., on the 4th day of July, 1874."

Specification II.—"In; that Private *B. F. Williams*, Company 'B,' 7th Infantry, did introduce into the post guard-house, and did furnish to a prisoner confined there, (Private James Lynch, Company 'B,' 7th Infantry,) a bottle of whiskey. This at Fort Benton, M. T., on the 4th day of July, 1874."

Specification III.—"In; that Private *B. F. Williams*, Company 'B,' 7th Infantry, did introduce into the post of Fort Benton, M. T., and did have in his possession two bottles of whiskey. This in violation of a standing order of his company, on the 31st day of August, 1874."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*,	"Not Guilty."
To the 2d *Specification*,	"Not Guilty."
To the 3d *Specification*,	"Guilty."
To the CHARGE,	"Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*,	"Not Guilty."
Of the 2d *Specification*,	"Not Guilty."
Of the 3d *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *B. F. Williams*, Company "B," 7th Infantry, "*To be confined at hard labor under charge of the post guard, for the period of three* (3) *months; and to forfeit to the United States the sum of ten dollars* ($10.00) *per month of his monthly pay, for the same period.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Michael Morton* and *B. F. Williams*, Company "B," 7th Infantry, are approved, and the sentences will be duly executed.

III...The General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 51, current series, from these Headquarters, and of which Captain D. W. BENHAM, 7th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

E. W. SMITH,
Captain 18th Infantry, A. D. C.,
Acting Assistant Adjutant General.

OFFICIAL:

1st Lieutenant 6th Infantry, A. D. C.

HEADQUARTERS DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 24, 1874.

GENERAL ORDERS, No. 78.

Post Commanders will hereafter report to these headquarters on the first day of each month, the names of all men in confinement at the post guard house awaiting trial by General Court Martial, with the date of confinement in each case.

BY COMMAND OF BRIGADIER GENERAL TERRY,

E. W. SMITH,

Captain 18*th Infantry,*

Acting Assistant Adjutant General.

OFFICIAL:

1*st Lieutenant* 6*th Infantry, A. D. C.*

G. C. M.

Private *John Jourdan*, Company "C," 7th Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 25th, 1874.

GENERAL ORDERS No. 79.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of paragraph II, Special Orders No. 215, current series, from these Headquarters, and of which Major J. G. TILFORD, 7th Cavalry, is President, was arraigned and tried:—

Private *John Jourdan*, Company "C," 7th Cavalry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In; that Private *John Jourdan*, Company 'C,' 7th Cavalry, being a member of the main guard, was found sleeping upon his post. This at Fort Rice, D. T., on or about the 6th day of October, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Jourdan*, Company "C," 7th Cavalry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay, for five* (5) *months, and to be confined at hard labor in charge of the guard, for the same period.*"

II...The proceedings, findings and sentence in the foregoing case of Private *John Jourdan*, Company "C," 7th Cavalry, are approved, and the sentence will be duly executed.

III...The General Court Martial which convened at Fort Rice, D. T., by virtue of paragraph II, Special Orders No. 215, current series, from these Headquarters, and of which Major J. G. TILFORD, 7th Cavalry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

E. W. SMITH,
Captain 18*th Infantry,*
Acting Assistant Adjutant General.

OFFICIAL:

1*st Lieutenant* 6*th Infantry, A. D. C.*

G. C. M.

Indian Scout *Ipawega*, U. S. Army.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 27th, 1874.

GENERAL ORDERS No. 80.

I...Before a General Court Martial which convened at Fort Abercrombie, D. T., by virtue of paragraph I, Special Orders No. 220, current series, from these Headquarters, and of which Captain WILLIAM M. VAN HORNE, 17th Infantry, is President, was arraigned and tried:

Indian scout *Ipawega*, U. S. Army.

CHARGE.—"Desertion."

Specification.—"In; that *Ipawega*, a duly enlisted Indian scout, in the service of the United States, did desert said service at Fort Abercrombie, D. T., on the 16th day of May, 1873, and did remain a deserter until apprehended by 'Little Paul,' on the 13th day of August, 1874, near Fort Wadsworth, D. T."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Indian scout *Ipawega*, U. S. Army, "*To forfeit to the United States all pay and allowance now due or to become due, the just dues of the laundress excepted; and to be confined at hard labor at such place as the Commanding General may direct, for a period of three* (3) *years.*"

The proceedings, findings and sentence in the foregoing case of Indian scout *Ipawega*, U. S. Army, are approved. The sentence is mitigated to confinement at hard labor, for six (6) months, with forfeiture of his pay, for the same period. As thus mitigated the sentence will be duly executed. Fort Abercrombie, D. T., is designated as the place of confinement.

BY COMMAND OF BRIGADIER GENERAL TERRY.

E. W. SMITH,
Captain 18*th Infantry,*
Acting Assistant Adjutant General.

OFFICIAL:

1*st Lieutenant* 6*th Infantry, A. D. C.*

G. C. M.

1. Private *John F. E. Lowenburg*, Company "C," 17th Infantry.
2. Private *Joseph Seibert*, Company "F," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 2d, 1874.

GENERAL ORDERS No. 81.

I...Before a General Court Martial which convened at Fort Abercrombie, D. T., by virtue of paragraph I, Special Orders No. 220, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, were arraigned and tried:

1st. Private *John F. E. Lowenburg*, Company "C," 17th Infantry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In this; that he, Private *John F. E. Lowenburg*, Company 'C,' 17th Infantry, having been regularly detailed as a member of a guard in charge of a prisoner, Private Thomas Smith, Company 'C,' 17th Infantry, charged with desertion, did become drunk. This at or near Moorehead, Minn., on or about July 2d, 1874.

CHARGE II.—"Conduct prejudical to good order and military discipline."

Specification.—"In this; that he, Private *John F. E. Lowenburg*, Company 'C,' 17th Infantry, having been placed as a guard over one prisoner, Private Thomas Smith, Company 'C,' 17th Infantry, charged with desertion, did allow said prisoner to escape. This at or near Moorehead, Minn., on or about the 2d of July, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *John F. E. Lowenburg*, Company "C," 17th Infantry.

2d. Private *Joseph Seibert*, Company "F," 17th Infantry.

CHARGE I.—"Violation of the 38th Article of War."

Specification.—"In this; that Private *Joseph Seibert*, Company 'F,' 17th Infantry, did steal, carry away, and appropriate to his own use, the following articles of U. S. Government property, for which articles Captain Clarence E. Bennett, Company 'F,' 17th Infantry, is accountable to the government, viz.: One (1) breech loading rifle musket, model 1868, cal. .50; one (1) gun-sling, forty (40) centre primed metallic cartridges, cal. .50, one (1) screwdriver, one (1) brace yoke and stay straps, one (1) valise with rubber flap, two (2) great-coat straps, one (1) haversack

(canvas), one (1) canteen, one (1) meat ration can, one (1) mosquito bar (single), one (1) bedsack (double), one (1) letter 'F.' All this at Fort Abercrombie, D. T., on or about October 17th, 1874."

CHARGE II.—"Desertion."

Specification.—"In this; that Private *Joseph Seibert*, Company 'F,' 17th Infantry, a duly enlisted soldier in the service of the United States, and stationed at Fort Abercrombie, Dakota Territory, did desert from said service and station on or about October 17th, 1874, and did remain absent until apprehended in Breckenridge, Minn., on or about the evening of October 19th, 1874, by a detachment sent from Fort Abercrombie, D. T., in pursuit of him, commanded by Sergeant Albert Netherton, Company 'F,' 17th Infantry."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, except the words, 'Forty centre primed metallic cartridges, cal. .50, one screwdriver, one brace yoke and stay straps, one valise with rubber flap, two great-coat straps, one haversack (canvas), one meat ration can, one canteen, one mosquito bar (single), one bedsack (double), one letter 'F;' and of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Joseph Seibert*, Company "F," 17th Infantry, "*To forfeit all pay and allowances now due, or to become due, just dues of laundress excepted, for the period of one year, and to be confined at hard labor for the period of two* (2) *years, at such post as the Department Commander may designate.*"

II...The proceedings and findings in the foregoing case of Private *John F. E. Lowenburg*, Company "C," 17th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

In the foregoing case of Private *Joseph Seibert*, Company "F," 17th Infantry, the proceedings under the 1st charge are disapproved, for the reason that the facts set forth in the specification should have been laid under the 99th Article of War. The remainder of the proceedings are approved. The findings to the 2d charge and its specification, and the sentence, are disapproved, as, in the opinion of the Department Commander, the testimony of record only establishes an absence without leave. Private *Seibert* will be released from confinement and restored to duty.

BY COMMAND OF BRIGADIER GENERAL TERRY.

E. W. SMITH,
Captain 18*th Infantry*,
Acting Assistant Adjutant General.

OFFICIAL:

1*st Lieutenant* 6*th Infantry*, *A. D. C.*

G. C. M.

1. Private *William Hickey*, Company "A," 1st Infantry.
2. Private *James Carroll*, Company "K," 1st Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 3d, 1874.

GENERAL ORDERS No. 82.

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph IV, Special Orders No. 155, current series, from these Headquarters, and of which Lieutenant Colonel PINKNEY LUGENBEEL, 1st Infantry, is President, were arraigned and tried:—

1st. Private *William Hickey*, Company "A," 1st Infantry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In this; that he, Private *William Hickey*, of Company 'A,' 1st Infantry, having been regularly detailed for detached service at Brulé City, D. T., did become so drunk while on the said duty, as to be entirely unable to perform his duty as a soldier, and to cause a delay in the march of the detachment. This on the road between American Creek and Crow Creek, D. T., on or about the 11th of September, 1874."

CHARGE II.—"Violation of the 50th Article of War."

Specification.—"In this; that he, Private *William Hickey*, of Company 'A,' 1st Infantry, having been regularly detailed as a member of an escort and guard for special duty at Brulé City, D. T., did without urgent necessity, and without the leave of his Commanding Officer, quit the said escort, and remain absent from about 12

o'clock M., till about midnight of same day, when he returned to Lower Brulé Agency, the post of his company. This at or near Crow Creek, Dakota, on or about the 11th of September, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *William Hickey*, Company "A," 1st Infantry.

2d. Private *James Carroll*, Company "K," 1st Infantry.

CHARGE I.—"Violation of the 50th Article of War."

Specification.—"In this; that he, Private *James Carroll*, Company 'K,' 1st Infantry, having been duly mounted as a member of the post guard at Fort Brady, Michigan, did, without urgent necessity, and without the leave of his superior officer, quit said guard. This at Fort Brady, Michigan, on or about the 28th day of May, 1873."

CHARGE II.—"Desertion."

Specification.—"In this; that he, Private *James Carroll*, Company 'K,' 1st Infantry, a duly enlisted soldier in the service of the United States, did desert from said service at Fort Brady, Michigan, on or about the 28th day of May, 1873, and remain absent until apprehended at Buffalo, N. Y., on or about the 14th day of May, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Carroll*, Company "K," 1st Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him, to be dishonorably discharged the service of the U. S., and then to be confined at hard labor, at such place as the Commanding General may direct, for the period of three* (3) *years.*"

II...The proceedings and findings in the foregoing case of Private *William Hickey*, Company "A," 1st Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

The proceedings, findings and sentence in the foregoing case of Private *James Carroll*, Company "K," 1st Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement, and is mitigated to confinement at hard labor, for two (2) years, with forfeiture of all pay and allowances for the same period. As thus modified and mitigated the sentence will be duly executed. The post where his company may be serving, is designated as the place of confinement.

By Command of Brigadier General Terry.

E. W. SMITH,
Captain 18th Infantry,
Acting Assistant Adjutant General.

OFFICIAL:

1st Lieutenant 6th Infantry, A. D. C.

G. C. M.

1. Private *Malachi Rooney*, Company "D," 1st Infantry.
2. Private *Jacob Landers*, Company "A," 1st Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 23d, 1874.

GENERAL ORDERS No. 83.

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of paragraph IV, Special Orders No. 155, current series, from these Headquarters, and of which Lieutenant Colonel PINKNEY LUGENBEEL, 1st Infantry, is President, were arraigned and tried:—

1st. Private *Malachi Rooney*, Company "D," 1st Infantry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In this; that Private *Malachi Rooney*, Company 'D,' 1st Infantry, a member of the guard, having been regularly posted as a sentinel over the Post Quartermaster's stables at Fort Randall, D. T., was found sleeping upon his post by Captain William N. Tisdall, 1st Infantry, the officer of the day, at or about twenty minutes after 12 o'clock, on the morning of September 21st, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Malachi Rooney*, Company "D," 1st Infantry, "*To forfeit to the United States* $10 *per month, for three months, and to be confined at hard labor in charge of the guard, for three months.*"

2d. Private *Jacob Landers*, Company "A," 1st Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In this; that he, Private *Jacob Landers*, Company 'A,' 1st Infantry, having been summoned to appear as a witness before a General Court Martial, convened at Fort Randall, D. T., by virtue of paragraph IV, Special Orders No. 155, current series, Headquarters Department of Dakota, did come before said Court so much under the influence of liquor as to be unable to perform the duty required of him. This at Fort Randall, D. T., on or about the 16th day of October, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Jacob Landers*, Company "A," 1st Infantry, "*To forfeit to the United States ten dollars of his pay, for two months, and to be confined in charge of the guard, at hard labor, for thirty days.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Malachi Rooney*, Company "D," and *Jacob Landers*, Company "A," 1st Infantry, are approved, and the sentences will be duly executed.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

1st Lieutenant 6th Infantry, A. D. C.

G. C. M.

1. Private *Richard McGill*, Company "C," 20th Infantry.
2. Private *Henry Keeler*, Company "G," 1st Infantry.
3. Private *Daniel O'Connell*, Company "C," 20th Infantry.
4. Private *James McBrearty*, Company "C," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., December 24th, 1874.

GENERAL ORDERS
No. 84.

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of paragraph III, Special Orders No. 262, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried:

1st. Private *Richard McGill*, Company "C," 20th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this; that he, Private *Richard McGill*, Company 'C,' 20th Infantry, having received a pass extending until 12 o'clock M., November 19th, 1874, did fail to return at the proper time, and did remain absent without leave until about 'reveille,' November 23d, 1874. This at Fort Snelling, Minn., on or about the dates specified."

CHARGE II.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this; that he, Private *Richard McGill*, Company 'C,' 20th Infantry, being absent without leave, and having been or-

dered by his superior officer, 1st Lieutenant J. S. Stafford, 20th Infantry, to report to his company without delay, did fail to obey said order. This at Saint Paul, Minn., November 20th, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Richard McGill*, Company "C," 20th Infantry, "*To forfeit to the United States* ($10.00) *ten dollars of his monthly pay, for* (3) *three months, and to be confined for* (30) *thirty days at hard labor in charge of the post guard.*"

2d. Private *Henry Keeler*, Company "G," 1st Infantry.

CHARGE.—"Desertion."

Specification.—"In this; that Private *Henry Keeler*, Company 'G,' 1st Infantry, having been regularly enlisted in the Army of the

United States, did desert the same at Fort Porter, New York, on or about the 18th day of September, 1872, and did remain so absent from the Army, until he surrendered himself at Saint Louis, Missouri, on or about the 15th day of August, 1874."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Keeler*, Company "G," 1st Infantry, *"To forfeit to the United States all pay and allowances now due or that may become due; to be confined in such military prison as the Department Commander may designate, for* (3) *three years, wearing a ball and chain attached to his right leg; then to be dishonorably discharged the service."*

3d. Private *Daniel O'Connell*, Company "C," 20th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this; that he, Private *Daniel O'Connell*, Company 'C,' 20th Infantry, did absent himself from his company and post without proper authority, about noon, November 18th, 1874, and did remain absent until about 'reveille,' November 23d, 1874. This at Fort Snelling, Minn., on or about the dates specified."

CHARGE II.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this; that he, Private *Daniel O'Connell,* Company 'C,' 20th Infantry, being absent without leave, and having been ordered by his superior officer, 1st Lieutenant J. S. Stafford, 20th Infantry, to report to his company without delay, did fail to obey said order. This at Saint Paul, Minn., November 20th, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification,* "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification,* "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification,* "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification,* "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Daniel O'Connell,* Company "C," 20th Infantry, "*To forfeit to the United States* ($10.00) *ten dollars of his monthly pay, for* (3) *three months, and to be confined for* (30) *thirty days at hard labor in charge of the post guard.*"

4th. Private *James McBrearty,* Company "C," 20th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this; that he, Private *James McBrearty,* Company

'C,' 20th Infantry, having received a pass extending until guard mount, November 20th, 1874, did fail to return at the proper time, and did remain absent without leave until about 'tattoo,' November 22d, 1874. This at Fort Snelling, Minn., on or about the dates specified."

CHARGE II.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this; that he, Private *James McBrearty*, Company 'C,' 20th Infantry, being absent without leave, and having been ordered by his superior officer, 1st Lieutenant J. S. Stafford, 20th Infantry, to report to his company without delay, did fail to obey said order. This at Saint Paul, Minn., November 20th, 1874."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James McBrearty*,

Company "C," 20th Infantry, "*To forfeit to the United States* ($10.00) *ten dollars of his monthly pay, for* (3) *three months, and to be confined for* (30) *thirty days at hard labor, in charge of the post guard.*"

II...The proceedings, findings and sentences in the foregoing cases of Privates *Richard McGill*, *Daniel O'Connell* and *James McBrearty*, Company "C," 20th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the foregoing case of Private *Henry Keeler*, Company "G," 1st Infantry, are approved. The sentence, except so much as provides for wearing a ball and chain, and for confinement for more than two years, is approved, and will be duly executed. Fort Snelling, Minn., is designated as the place of confinement.

By Command of Brigadier General Terry.

O. D. GREENE.

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

G. C. M.

Private *James H. Stanley*, Company "A," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 26th, 1874.

GENERAL ORDERS No. 85.

I...Before a General Court Martial which convened at Fort Abercrombie, D. T., by virtue of paragraph I, Special Orders No. 220, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, was arraigned and tried:—

Private *James H. Stanley*, Company "A," 17th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this; that Private *James H. Stanley*, Company 'A,' 17th Infantry, did between the hours of retreat roll-call and 12 o'clock, on the evening of the 13th of November, 1874, enter the house of one Mary, 'an Indian woman,' living at Fort Abercrombie, D. T., and did then and there create a disturbance, and did strike, kick and bite, beat and otherwise maltreat the said Mary, 'an Indian woman,' and her daughter Belle, in a brutal manner. All this at Fort Abercrombie, D. T., and on or about the date above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James H. Stanley*, Company "A," 17th Infantry, "*To forfeit to the United States ten* (10) *dollars of his monthly pay, for the period of four* (4) *months, and to be confined at hard labor in charge of a guard, for the same period.*"

II...The proceedings, findings and sentence in the foregoing case of Private *James H. Stanley*, Company "A," 17th Infantry, are approved, and the sentence will be duly executed.

III...The General Court Martial which convened at Fort Abercrombie, D. T., by virtue of paragraph I, Special Orders No. 220, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

CIRCULARS

FROM THE

HEADQUARTERS,

Department of Dakota.

1874.

(No. 1.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 10, 1874.

CIRCULAR:

Post Commissary Sergeants serving in this Department, will in future, transmit the monthly report required from them by existing orders through their respective Post Commanders, to the Chief Commissary of Subsistence of the Department.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

(2)

HEADQUARTERS DEPARTMENT OF DAKOTA.

St. Paul, Minn., January 20, 1874.

CIRCULAR:

For the information and guidance of officers of this command, whose duties require them to advertise on public service, it is announced that the "*Sioux Falls Pantagraph*," a newspaper published at Sioux Falls, Dakota, has been placed on the advertising list of the War Department.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

(No. 3.)

HEADQUARTERS DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 25, 1874.

CIRCULAR

The following decision of the War Department is published for the information of all concerned, viz:

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, April 21, 1874.

To the Commanding General Department of Dakota, through Headquarters Military Division of the Missouri, Chicago, Illinois.

SIR:

Referring to your endorsement of the 27th ultimo, forwarding communication from the Acting Commissary of Subsistence at Fort Randall, D. T., asking whether General Orders No. 13, February 16, 1874, from this office, applies to contract surgeons, I am directed by the Secretary of War to inform you that the order referred to having been issued with special reference to civilian clerks, laborers, &c., employed in the different staff departments of the army, was not intended to be applied to Acting Assistant Surgeons who are not civilian *employees* in the sense usually employed in General Orders, but are *quasi* commissioned officers.

Very respectfully, your obedient servant,

(Signed,) E. D. TOWNSEND,

Adjutant General.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

(No. 1.)

HEADQUARTERS DEPARTMENT OF DAKOTA.

Saint Paul, Minn., April 28, 1874.

CIRCULAR:

Commanding Officers of Posts in this Department will cause their respective Acting Commissaries of Subsistence to forward early in the months of May and June next to the Chief Commissary of Subsistence at these headquarters, all subsistence funds in their hands not absolutely necessary for the service of that Department at their posts during such months. In determining the amounts to be forwarded the amounts that will probably be received from sales in the months, will be taken into consideration.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 18*th Infantry, A. D. C.*

(No. 5)

HEADQUARTERS DEPARTMENT OF DAKOTA,

SAINT PAUL, MINN., *June* 1, 1874.

CIRCULAR:

The following Formulæ for the record of proceedings of General Courts Martial, and of Garrison Courts, and Instructions for Courts and Judge Advocates, are published for the information and guidance of officers serving in this Department:

Page 1. CASE 1.

Proceedings of a General Court Martial which convened at .....
.....pursuant to the following order:

HEADQUARTERS, DEPARTMENT OF DAKOTA,

.....187

SPECIAL ORDERS }
No. .... } [EXTRACT.]

A General Court Martial is hereby appointed to convene at Fort Snelling, Minn., on.....the....of.....
at 10 o'clock, A. M., or as soon thereafter as practicable, for the trial of such persons as may be brought before it by authority from these Headquarters.

DETAIL FOR THE COURT.

1. Colonel.....U. S. Infantry,
2. Major.....U. S. Cavalry,
3. Major.....U. S. Cavalry,
4. Captain.....U. S. Infantry,
5. Captain.....U. S. Cavalry,
6. Captain.....U. S. Infantry,
7. Assistant Surgeon.....U. S. Army,
8. First Lieutenant.....U. S. Infantry,
First Lieutenant.....U. S. Cavalry,

is appointed Judge Advocate of the Court.

No other officers than those named can be assembled without manifest injury to the service. Should any of the officers named in the detail be unable to attend, the Court will nevertheless proceed to and continue the business before it; *provided* the number present be not less than the minimum prescribed by law.

By Command of Brigadier General Terry,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

E. W. SMITH,

Captain 18th Infantry, A. D. C.

FORT SNELLING, MINN.

.....187

The Court met, pursuant to the foregoing order, at 10 o'clock A. M.

PRESENT:

1. Colonel.....U. S. Infantry,
2. Major.....U. S. Cavalry,
3. Major.....U. S. Cavalry,
4. Captain.....U. S. Infantry,
5. Captain.....U. S. Cavalry,
6. Captain.....U. S. Infantry,
7. Assistant Surgeon.....U. S. Army,

First Lieutenant.....U. S. Cavalry, Judge Advocate.

ABSENT:

1. First Lieutenant.....U. S. Infantry.

Here set forth the cause of absence of any absent member, if the same is known. It is the duty of a Judge Advocate to ascertain, if possible, the cause of absence and record it, and in cases of sickness, medical certificates must be furnished by the absent members, and appended to the record.)

The Court then proceeded to the trial of..... Regiment U. S. Infantry, who thereupon came before the Court, and having heard the order convening it read, was asked if he had any objection to any member present, named in the order; to which he replied in the negative, (*or*) the accused submitted the following objection to.....

(*Here insert the objection.*)

The challenged member stated that:

(*Here insert the statement of the challenged member.*)

The Court was thereupon closed, the challenged member and the accused retiring, and, after due deliberation, the Court having re-opened, the challenged member and the accused resumed their seats and the decision of the Court was announced by the Judge Advocate, that the objection of the accused is sustained, and (*here insert challenged member's name and rank.*) is therefore excused from serving as a member of the Court in this case; (*or*) that the objection of the accused is over-ruled.

(*Objection can only be urged to one member at a time, and a record as above must be made in each instance. If the person on trial has no objection to offer, the record will continue as follows:*)

The members of the Court were then severally duly sworn by the Judge Advocate, and the Judge Advocate was then duly sworn by the President of the Court: all of which oaths were administered in the presence of the accused.

(*For form of oaths see 69th Article of War.*)

If a clerk is introduced, the following form of oath will be administered to him by the Judge Advocate:

You A.— B.— do swear that you will faithfully perform the duties of a Clerk of this Court and make true record of the proceedings had in the cause now on trial. So help you God.

The record will state as follows:

The Judge Advocate here requested authority to employ a citizen clerk (or permission to introduce an enlisted man as Clerk of the Court.) which was granted, and A. B. was thereupon duly sworn by the Judge Advocate to faithfully perform the duties of his office, which oath was administered in presence of the accused.

Should the person on trial desire to introduce counsel, he should now make application, and the record will continue as follows:

The accused now requested permission of the Court to introduce ....., as his counsel, which request was granted.

(*If any delay in the trial is desired, application should now be made, and in passing upon the request, the Court should be governed by Paragraphs 886 and 887, Revised Army Regulations of 1863.*)

The accused was then duly arraigned upon the following charge and specification:

CHARGE:

.....

Specification: .....

To which the accused pleaded as follows:

To the specification: "Guilty," (*or*) "Not Guilty."
To the charge: "Guilty," (*or*) "Not Guilty."

(*Or the accused may, in lieu of pleading to the merits, put in a special plea in bar of trial—to the jurisdiction, or autrefois convict or other recognized plea. If he stands mute the plea of not guilty should be entered on the record with a statement of his refusal to plead.*)

Captain.....of the .....U. S. Infantry, a witness for the prosecution, then came before the Court and was duly sworn by the Judge Advocate, and testified as follows:

(*For form of oath see 77'd Article of War.*)

Question, by the Judge Advocate: * *
Answer: * * * *
* * * * *

CROSS-EXAMINATION

Question, by accused: * * *
Answer: * * * *

(*If the person on trial declines to cross examine the witness, it should so appear on the record. If new matter has been elicited in the cross-examination, bearing upon the issue of the trial, the Judge Advocate will re-examine the witness, should the facts require it.*)

(*After the examination-in-chief, the cross-examination and re-examination, the Court can ask such questions as it may deem necessary. A question by a member of the Court, if objected to and rejected, must be recorded as "by a member." If not objected to, the record will continue as follows:*)

Question, by the Court: * * *
Answer: * * * *
* * * * *

(*After all the testimony for the prosecution has been adduced, the record will continue as follows:*)

The Judge Advocate then announced that the prosecution rested.

The Court then at....o'clock P. M., adjourned to meet to-morrow at 10 o'clock, A. M.

.....

1st Lieutenant....U. S. Cavalry.
Judge Advocate.

SECOND DAY.

FORT SNELLING, MINN.,
.....187

The Court met, pursuant to adjournment, at 10 o'clock, A. M

PRESENT:

(*Here give names, rank, &c., of members present and of Judge Advocate.*

ABSENT:

(*Names, rank, and cause of absence.*)

The accused and ..... his counsel, also present.

The proceedings of the ..... instant were then read and approved.

Sergeant ..... of the ..... U. S. Infantry, a witness for the defence, then came before the Court and was duly sworn and testified as follows:

Question, by the accused: * * *
Answer: * * * *
* * * * *

CROSS-EXAMINATION.

Question, by Judge Advocate: * * *
Answer: * * * *
* * * * *
Question, by the Court: * * *
Answer: * * * *
* * * * *

The accused having no further testimony to offer, made the following statement in his defence, (*or*) submitted a written statement in his defence, which was read to the Court by the accused, (or by the Judge Advocate), and is hereto annexed marked "A."*

The Judge Advocate replied as follows:

(*Here insert the remarks of the Judge Advocate if verbal; if written, they should be read and annexed as in the case of the defence*), (*or*) the Judge Advocate submitted the case without remark.

The Court was then cleared and closed for deliberation, and having maturely considered the evidence adduced, finds the accused, ...
..... U. S. Infantry:

Of the specification: "Guilty," [*or*] "Not Guilty."
Of the charge: "Guilty," [*or*] "Not Guilty."

And the Court does therefore sentence him, ... of ..... Regiment U. S. Infantry, to .....
.....

*NOTE.—The statement of the accused, when in writing, or argument in his defence, and all pleas in bar of trial or abatement, should be signed by himself and appended to the record, and referred to in the proceedings as having been submitted by him, whether he is defended by counsel or not.

(*or*) And the Court does therefore acquit him.....
.....of.....Regiment U. S. Infantry.

.....

Colonel.....*U. S. Infantry.*
President.

.....

1*st Lieutenant*....*U. S. Cavalry.*
Judge Advocate.

(*The following will be added to the record of the last case brought before the Court.*)

There being no further business before it, the Court then, at.....
o'clock,....M., adjourned *sine die.*

.....

Colonel.....*U. S. Infantry,*
President.

.....

1*st Lieutenant*.....*U. S. Cavalry,*
Judge Advocate.

(*A space of two pages should be left at the close of each record, for the decisions and orders of the reviewing authority.*)

The proceedings should be recorded on Legal Cap paper, each record folded in four folds, and endorsed on the first fold as follows:

FORT SNELLING, MINN.,
.....187

Proceedings of a General Court Martial,
convened by Special Orders No..,
dated Headquarters Department
of Dakota.....187....

Colonel.....*U. S. Infantry,*
President.

1*st Lieutenant*.....*U. S. Cavalry,*
Judge Advocate.

CASE THIRD.

Private.....
.....Infantry.

When a record is returned to the Court by the reviewing authority for revision, the subsequent proceedings thereon should be recorded as follows:

REVISION.

FORT SNELLING, MINN.,

.....187

The Court re-convened with closed doors, pursuant to the following order, at 10 o'clock, A. M.:

(*Here insert copy of order.*)

PRESENT:

* * * * *

ABSENT:

* * * * *

The communication from the Commanding Officer, Department of Dakota, of date.....187.., (or memorandum containing the instructions to the Court, and the reasons of the reviewing authority for requiring a re-consideration of the findings, or sentence, or correction of the record,) was then read to the Court by the Judge Advocate, and is attached to the record and marked, "...."

The Court having carefully considered the whole of the proceedings and the reasons set forth for revision:

a. Do now revoke their former findings, and find, &c., &c.

or,

b. Do now revoke their former sentence, and do sentence, &c., &c.

or,

c. Do now respectfully adhere to their former findings and sentence.

or.

d. Do now amend the record by &c., &c.,

....

Colonel..... *U. S. Infantry,*

President.

.....

1*st Lieutenant*..... *U. S. Cavalry,*

Judge Advocate.

GARRISON COURTS MARTIAL.

FIRST DAY.

Proceedings of a Garrison Court Martial held at Fort Ellis, M. T., pur-

suant to the following order:

HEADQUARTERS FORT ELLIS, M. T.,
.....187

POST ORDERS)
No....)

A Garrison Court Martial will convene at this Post on the.....
.....187.., at 10 o'clock, A. M., or as soon thereafter as practicable, for the trial of such prisoners as may properly be brought before it.*

DETAIL FOR THE COURT.

First Lieutenant A. B., 2d Cavalry.
First Lieutenant C. D., 2d Cavalry.
Second Lieutenant E. F., 2d Cavalry.

BY COMMAND OF.....
(Signed).....
First Lieutenant .... Infantry.
Post Adjutant.

FORT ELLIS, M. T.,
.....187

The Court met, pursuant to the foregoing order, at....o'clock, A. M.

PRESENT:

First Lieutenant A. B., 2d Cavalry.
First Lieutenant C. D., 2d Cavalry.
Second Lieutenant E. F., 2d Cavalry.

The Court then proceeded to the trial of Private....., Company..... ....Regiment U. S. Infantry, who was then brought before the Court, and having heard the order convening it read, was asked if he had any objection to being tried by any member named therein; to which he replied in the negative. The Court, including the Recorder, was then duly sworn according to law in the presence of the accused.†

*When a Post is commanded by a field officer, and the detail for the Court, as well as the accused to be tried, all belong to his regiment, the following words should more properly be prefixed to the order: "It being impracticable to detail a field officer as a Court.

† NOTE.—The mode of swearing a Regimental or Garrison Court as announced in General Orders No. 49, War Department, May 18, 1871, is as follows:

"The junior member of the Court shall be its recorder, and shall administer to the other two members the oath prescribed in the article for members, after which

(*The record will be made up in the same general manner as indicated for the proceedings of General Courts.*)

The junior member, as Recorder or Clerk to the Court, should, with the President, authenticate its proceedings in each case.

In the absence of any provision for the detail of a Judge Advocate, or person officiating as such, as a prosecuting attorney for the United States, with *legal* obligations to the accused—confined, however, simply to objecting to any leading or criminating question—the Court, itself, proceeds with the business referred to it, summons all necessary witnesses, and asks all questions tending to elucidate the matter, *pro* and *con*, without denial to the accused of his right to ask any additional question pertinent to the issue, or to make any statement respectful in its character.

Equal obligation rests on each member of the Court to well and truly try and determine, according to evidence, the matter before it, and to duly administer justice.

Questions by the Recorder, or any other member, if not objected to, become "questions by the Court."

The decision and orders of the Reviewing Officer, confirming, disapproving, or remitting the sentence, should follow immediately after the signature of the President and Recorder, and be signed by him and not by his command, and then forwarded, without delay, together with a copy of his Post or Regimental Order promulgating the proceedings, to Department Headquarters, for the supervision of the Department Commander. (*See Paragraph* 898, *Army Regulations.*)

GENERAL INSTRUCTIONS.

Charges and Specifications.

In preferring charges, care should be used to specify the date and lo-

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the presiding officer shall administer to the recorder the following oath, which combines with the oath of a member the additional obligation required of the Judge Advocate, or person officiating as such:

"You, A—— B——, do swear that you will well and truly try and determine, according to evidence, the matter now before you, between the United States of America and the accused to be tried, and that you will duly administer justice, according to the provisions of 'An act establishing rules and articles for the government of the armies of the United States,' without partiality, favor, or affection; and if any doubt should arise, not explained by said articles, according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear that you will not divulge the sentence of the Court to any but the proper authority, until it shall be duly disclosed by the same; neither will you disclose or discover the vote or opinion of any particular member of the court martial, unless required to give evidence thereof, as a witness, by a court of justice, in a due course of law." So help you God.

cality of the alleged offence. When doubt exists, it may be alleged that the act specified was committed "at or near" a certain place and "on or about" a certain date. Before charges are forwarded to Department Headquarters for trial by a General Court, Post Commandants should investigate the character and force of the testimony on which they are based, and be assured that the alleged facts can be fully established; and also, *that the offenses charged are of so grave a nature that a Garrison Court cannot adjuge a sufficient penalty.*

Charges should be laid under the specific article of war pertaining to the offense.

Charges cannot be legally preferred under the 99th Article of War when the offense committed is in violation of any other article.*

In an absence from any appointed parade, drill, or other exercise, but not from the limits of the post, the specification should usually be charged under the 44th Article of War—but otherwise under the 21st, and sometimes under both. Soldiers found drunk on any guard, party, or other duty, after having been actually placed on such duty, and in the ranks, and not until then discovered to be drunk, should be charged with violation of the 45th Article of War—but, otherwise, under the 99th Article, as when unable to turn out for, or attend, guard-mounting.

Charges laid under Articles of War which prescribe possible capital punishment, such as the 9th or 46th Articles, are not properly cognizable by a Garrison or Regimental Court, nor should degrading crimes—like theft, to the prejudice or good order, &c.—be tried before such tribunals. In preparing several specifications under a charge, the date and place of the alleged offence should be written in each, and not merely in the final specification.

Arraignment.

The following is the form of arraignment: The accused standing, the charge and specification should be read to him by the Judge Advocate, who then should say:

---

*In charges of desertion, the date of enlistment of the soldier should, when known, be inserted for the information of the reviewing authority. It is, however, sufficient to prove that the soldier was duly enlisted, or that he had voluntarily received the pay and performed the duties of a soldier.

The payment of a reward for apprehension—not being a part of the offence—should not be embodied in the specification. The names of witnesses to the apprehension or surrender of the accused should invariably be noted underneath the charge. The date and place of such apprehension or surrender, as well as the date and place of desertion, should each be included in the specification.

"You have heard the charge and specifications preferred against you.
What say you to the (1st) specification—guilty, or not guilty?
What say you to the charge—guilty, or not guilty?"

The pleading should be to the specifications in their order, and lastly to the charge. (*See 70th Article of War.*)

EVIDENCE.

When the accused has entered a plea in bar of trial, the Court should, if the plea is *primâ facie* tenable, receive evidence of the facts therein stated, and if the plea be found valid, should postpone further consideration of the case and report its decision to the convening authority.

When the accused has plead guilty, and, with no evidence taken, has made a statement to the Court inconsistent with his plea, the statement and plea should be considered together, and if guilt is not conclusively admitted, the Court should direct the entry of a plea of not guilty and proceed with the trial on its merits.

In all cases subject to a discretionary punishment, a full knowledge of the circumstances attending the offence is essential for the information of the reviewing authority, and to an enlightened exercise of the discretion of the Court in measuring the punishment—except where the specification is so descriptive as to disclose all the circumstances of mitigation or aggravation which accompanies the offense.

When the Court takes evidence after a plea of "guilty," the accused may cross-examine the witnesses, and he may produce evidence to rebut their testimony, and evidence as to character, and may address the Court in extenuation of the offense or in mitigation of punishment.

The best attainable evidence should always be adduced, and should be confined to the allegations at issue.

Hearsay testimony is inadmissable; as also are *opinions* of witnesses, except upon questions where witnesses are called to testify as *experts*, and the fact that they are such clearly shown.

In allegations of drunkenness, witnesses, in other respects competent, can give their opinion and belief as to the state of sobriety of the accused at the times specified.

Documentary evidence is only admissible when its authenticity has been established by sworn testimony, or under the seal of a court of record.

When original documents are introduced, and are of such a character that the originals cannot be retained, copies, certified as correct by the Judge Advocate, may be attached to the record.

When transcripts from the records of any of the Executive Departments of the Government are used, they should be certified to by the

chief officer of the bureau in which the originals are filed, and the authenticity of the certification verified under the seal of the Department by the Secretary thereof.

The entry on the descriptive list of a soldier that he has deserted, is not proof of the offense, but merely evidence that he has been charged with its commission.

Irrelevant testimony is not, of necessity, inadmissable, as many questions which may appear irrelevant are in fact not so. Caution should be exercised in objecting to interrogatories on this ground. (*General Orders No* 32, *War Department*, *October* 31, 1872.)

Courts martial are governed by the Common Law Rules of Evidence, except where such rules have been modified by acts of Congress.

Examination of Witnesses.

After a witness has been sworn, the first question should be as to his own name and rank, and the second so framed as to elicit an answer embracing the recognition of the accused, including rank, company, regiment, &c. The third in such form that the answer may show that the witness has been so placed as to have knowledge of the circumstances set forth in the pleadings. The fourth and subsequent interrogatories to be framed so as to elicit all the facts material to the matter at issue. Care should be taken in the direct examination to prove, as nearly as possible, the averments of time and place laid down in the specifications.

Leading questions, or such as, from their construction, plainly suggest to the witness the desired answer, are not admissible in an examination-in-chief.

In the trial of a case, the Court should usually defer questioning a witness until after his examination by the Judge Advocate, and the accused, has been completed. Such questions should be for the purpose of clearing doubts in the minds of members, or of reconciling discrepancies.

The cross-examination should be confined to testimony elicited in the examination-in-chief, and not run into a general defence involving new matter. When facts are to be elicited from witnesses for the prosecution, advantageous to the accused, such witnesses can be recalled by the defence for that purpose.

Re-examination is only for the purpose of explaining any new facts that may come out in the cross-examination, and should, as a general rule, be confined to this.

Witnesses may be recalled by the Court at any stage in the proceedings for such examination as may be deemed necessary, in which case

both parties must be present. The Court may also call before it, witnesses not summoned by either the prosecution or defence.

After a witness has given his evidence in full, it should be read over to him, that he may see whether it has been recorded as he gave it, and that he may make corrections, if necessary.

If a witness desires to make corrections after hearing his testimony read, his statement in explanation should be recorded—changes in the testimony as originally given should not be permitted—as thereby the benefit derived from cross-examination might be lost.

Findings.

When the proof adduced sustains the pleadings in a partial form only, the Court should acquit of the unproven portion in express terms; and where the alleged date and place of the offense is found to be erroneous, the proper corrections should be made in the findings.

Sentence.

The following numbered Articles of War are mandatory as to the sentences to be adjudged for their violation: Articles 14, 15, 16, 17, 18, 22, 38, 39, 55, 77 and 83. Any other than the prescribed sentence would be illegal.

The legal punishments which may be inflicted by sentence of a Court Martial will be found under Paragraph 895, Army Regulations.

Forfeiture of pay for a violation of the 45th Article of War only, is now a legal punishment.

A Court cannot in its findings legally substitute the 99th Article of War for any other—when the specification and testimony sustain the particular article under which the specification is laid.

It is only when the proof under the specification does not sustain the charge that the Court may, in its discretion, substitute the 99th Article.

Record.

All orders which have been issued, modifying the detail of a Court, after its original organization, should be included in the record of every case.

The entire proceedings of the Court in each case should be fully set forth in the record. All orders, motions, or rulings of the Court itself—all motions, propositions, objections, arguments, statements, &c., of the Judge Advocate and the accused—the entire testimony of each witness,

given in his own language—and, indeed, every feature of the proceedings material to a complete history of the case, and to a correct understanding of every point of the same by the reviewing authority—should be recorded at length.

The record of proceedings, and the final defence of the accused, should be written upon Legal Cap paper of uniform size.

The proceedings in each completed case should be immediately signed by the President and Judge Advocate.

Recommendations to clemency should not be placed in connection with the sentence, but should be appended to the record.

All documentary evidence submitted to the Court must be attached to the record, lettered in the order of submission, as "A," "B," &c.

The hour at which the Court meets and adjourns each day should be stated in the record, in order that it may be determined by the reviewing authority whether the Court sat during legal hours, and the close of each day's proceedings generally authenticated by the signature of the Judge Advocate.

The record should show that the accused had an opportunity offered him to cross-examine the witnesses for the prosecution.

When an interpreter is necessary, the record must show that he was duly sworn, in open Court, to faithfully perform such duties.

If a reporter or clerk is appointed by proper authority, according to existing law and orders, the record must show that he was duly sworn in open Court and in the presence of the accused, faithfully to perform his duty and record the proceedings of, and testimony to be taken, before the Court, in the particular case.

"The duties devolved upon officers appointed to sit as members of Courts Martial, are of the most grave and important character, and that these duties may be discharged with justice and propriety, it is incumbent on all officers to apply themselves diligently to the acquirement of a competent knowledge of Military Law, and to make themselves perfectly acquainted with all orders and regulations, and with the practice of Military Courts." (*Order No.* 23, *A. G. O., May* 8, 1830.)

The attention of Courts Martial is invited, in this connection, to the published decisions of the Judge Advocate General of the Army, under the titles of "Court Martial—Finding—and Record."

Remarks.

To secure the attendance of necessary and material witness before a General Court Martial, the Judge Advocate should usually proceed as follows:

1st. If the witness is an enlisted man, and stationed in the particular Department, the summons should be addressed to his Post Commander, by whom an order should then be issued for compliance therewith.

2d. If the desired witness is an officer so stationed, the summons should be sent him through his Post Commander, by whom an order should also be issued to enable him to attend, but in military emergencies, the Post Commander may, in either of these cases, first refer the matter to Department Headquarters.

3d. The testimony of military witnesses without the particular Department should, except in capital cases, be taken by deposition, unless the Judge Advocate is prepared to certify that "under the peculiar circumstances of the case, and to administer justice, it is not practicable to take the desired testimony by deposition under Section 27, Act of Congress approved March 3, 1863." In such case, the summons and application of the Judge Advocate thus certified will be sent through Department Headquarters.

This Act only allows the use of depositions of *military* witnesses provided they reside beyond the limits of the State, Territory or District where the Court may be convened.

4th. The 74th Article of War authorizes the taking of the depositions of *citizen* witnesses in cases not capital, wherever they may be, and unless such witnesses reside near, their depositions will, to save expense to the Government, be taken whenever practicable.

In order to subpœna a citizen witness, it must be made to appear to the satisfaction of the Court, that his testimony is "material and necessary," and the fact entered on the record.*

Duplicate subpœnas should then be sent to the nearest Post Commander for service, if the witness resides within the Department, or else to Department Headquarters, unless otherwise specially directed by the Department Commander.

Service is made, under the laws of the United States, by delivering the subpœna to the witness, and *proof* of service, by returning the duplicate original to the Judge Advocate, with an affidavit endorsed, to

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*It usually happens that a Judge Advocate receives the "charge and specifications," (which stand in place of an indictment in the Civil Courts,) prior to the assembling of the Court; and that, to prevent delay in the trial, it becomes necessary to summon or subpœna the military or civilian witnesses, whose names are attached.

In such case the subpœna (in duplicate) for the citizen witness may be issued, *pro forma*, as above indicated—without, of necessity, waiting for the Court to assemble; but in the event of the witness not obeying it, the Judge Advocate, upon moving for a writ of attachment, must show to the Court additionally, and have it entered on the record—"*that the witness is material and necessary one.*"

the effect, that on such a day, date, and place, the affiant *personally* served the within named witness, by delivering to him, a subpœna, of which the within is a complete copy.

Such affidavit can be taken in the manner provided by Paragraph 1031, Army Regulations.

Any person, instructed by the Judge Advocate or Post Commander, can serve the subpœna; but service by mail is *not* a legal service.

Should the witness fail to appear on due and reasonable notice, the Judge Advocate has, by the 25th section of the Act of Congress approved March 3, 1863, power to issue like process, to compel any witness to appear and testify, as the Courts of criminal jurisdiction within the State, Territory or District where such Court may be convened. This power includes also the power to execute such process through some officer, who shall be specially charged with its execution. (12 *Vol. Opinions U. S. Attorneys' General, of* 1868, *p.* 581.)

The Judge Advocate should, therefore, present and have attached to the record, and therein noted, the duplicate subpœna and affidavit of service, and formally move the Court for a writ of attachment against the contumacious witness.

If the motion is granted, the record should show it; and the Judge Advocate should then apply to the Department Commander for the name of some military officer to serve the process, and formally direct the writ of attachment to him, and attach thereto a certified copy of the order convening the Court, and copies also of the original subpœna and charges and specifications. The Post Commander will thereupon furnish the officer a sufficent force for the execution of the process* whenever such force shall be actually required.

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*The following forms should be used:

(*Subpœna.*)

GENERAL COURT MARTIAL ROOMS,
(*Station of Court.*)..... ....

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

To†..... ....
....GREETING:

Pursuant to the 25th Section of the Act of Congress approved March 3, 1863, you are hereby required to be and appear, in your own proper person, on the....day of .....187.., at....o'clock in the... noon, before a General Court Martial of the United States, convened at said.....by virtue of Special Orders Number ..., of.....187.., from the Headquarters of the Department of..... ....to testify and give evidence all that you may know concerning the pending case then and there to be tried, of the United States *versus*....., accused of..... .....under the laws of the United States, and have you then and there this precept.

Witness:.....(*Name of Presiding Officer,*).....President of said Court, this....day of..... ...., 187..

(*Name*)..... .....
(*Rank*) .....

(†*Insert name and address of witness, if known.*) *Judge Advocate.*

If the witness resides without the limits of the Department, the Judge Advocate should transmit the writ of attachment, with its annexed certified copies of orders convening Court, subpœna, and charges, to these headquarters, properly signed and filled in, except as to the name of the officer who may be subsequently indicated to serve the writ.

(*Process of Attachment.*)

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

To.....

.....

Stationed at .....

GREETING:

WHEREAS, a General Court Martial of the United States was duly convened at .....on the....day of.....187.., pursuant to Special Orders No.... of. ....187.., from Headquarters ....., a copy of which said order is hereto annexed, marked "A," and, WHEREAS, on the....day of....., 187.., at..... ..... the said General Court Martial having been first duly sworn .....of the United States Army, was duly arraigned and his trial proceeded with on a certain charge, instituted at the prosecution of the United States, for the offense of.....under the laws of the United States, a copy of which is hereto annexed, marked "B;" and, WHEREAS, one* ....., of..... .....in the ....was, on the....day of.....187.., personally served with a subpœna (a duplicate of which is hereto annexed, marked "C,") directing him to appear and testify in said cause at the time and place therein commanded; and, WHEREAS, the said*.....did, on the....day of..... 187.., fail and neglect to appear before said Court or testify in said cause, as required by said subpœna, and still fails and neglects to appear or testify in said cause, he being a necessary and material witness therein, and no just excuse has been offered for such neglect:

NOW, THEREFORE, under and by virtue of the 25th section, chapter 79, of the Act of Congress approved March 3, 1863, you are hereby commanded that you take the said*..... .....wherever he may be found within the United States, and him safely keep, and bring you his body without delay before the said General Court Martial convened at said Fort....., and of which..... . ...United States Army, is President, at the Court Room thereof on the... day of....., 187.., at .... o'clock in the forenoon, at the opening of said Court to then and there testify in the said cause of the United States *versus*....., now depending, and then and there to be continued and tried.

And have you then and there this writ.

BY ORDER OF THE COURT:

IN WITNESS WHEREOF, I, as Judge Advocate of said Court, duly appointed and sworn, have hereto set my hand and seal, at Fort..... this..... day of.....187..

(*Name,*)..... .....

(*Rank.*)..... .....

Judge Advocate.

Seal.

(**Insert name of contumacious witness.*)

In executing such process, it is lawful to use only just the necessary amount of force to bring the witness according to its tenor.

If, in executing this legal process, the officer should be served with a writ of *habeas corpus* from any *State* Court (or *State* Judge) for the production of the witness, it will be his duty to endorse and return such writ, respectfully informing the Court (or Judge) that "he holds the "within named prisoner pursuant to the writ of attachment, of which a "copy, with accompanying orders convening Court, subpœna, and "charges, are annexed, and that he is diligently and in good faith en-"gaged in executing said writ of attachment according to its commands. "That he, respectfully, submits for the inspection of the Court, (or "Judge) the original process under which he is acting; but, that as he "holds the prisoner under and by color of the authority of the United "States, respectfully denies the jurisdiction of the Honorable Court (or "Judge) to proceed further in the premises, but requests the dismissal "of the writ of *habeas corpus* for such cause, and invites attention to the "decisions of the Supreme Court of the United States on this subject."

(*Vide: Ableman vs. Booth*, 21 *Howard's U. S. Rep. p.* 506.)

(*Vide: U. S. vs. Tarble*, 13 *Wallace's U. S. Rep. p.* 357, *promulgated in General Orders No.* 16, *War Department, Adjutant General's Office*, 1872.)

The officer is *not* required to produce the prisoner before such *State* Court, (or *State* Judge,) neither should he permit him to be taken from his custody.

When the writ of *habeas corpus* is issued from a United States Court, or by a United States Judge, it must be implicitly obeyed and the prisoner produced, with the orders or process under which he may be held.

5th. Depositions of witnesses cannot be taken nor read in evidence where military offenders are charged with the violation of an Article of War, the penalty for which, as in the 9th, 46th, or 52d Articles, may be death.

In time of peace—under the Act of Congress of May 29, 1830, limiting the 20th Article of War—the crime of desertion is *not* a capital one.

In order to ascertain as to the competency of a witness, the opposite party, whether Judge Advocaie or accused, is entitled, on request, to examine him upon the subject before he is examined in chief.

This is termed an examination on the *voir dire;* but if the incompetency appear at any period during the trial, the Court will give the opposite party the benefit of it, by ruling, on motion, not to consider the testimony of the witness.

His competency, when thus impeached on the *voir dire*, may, however, be restored by cross-examination by the party calling him, or by introducing other evidence thereto.

In the same manner, when a prisoner objects to being tried by a member of the Court, he may examine the member on his *voir dire*, with a right then to the Judge Advocate to establish competency, subject to mature decision of Court as to whether he ought to serve.

All this must become matter of record.

The following oath should be used on the *voir dire*:

"*You do solemnly swear that you will true answers make to such questions as may be here put to you, touching your competency to serve as a witness, (or member,) in this cause, (or touching the challenge exhibited against you.) So help you God.*"

It sometimes happens that a witness may be adverse to the party calling him; in which case the Court may allow, on request, the direct examination to take the character of a cross-examination.

By Command of Brigadier General Terry,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Thomas F. Barr

Major and Judge Advocate U. S. A.

(No 6.)

HEADQUARTERS DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 5, 1874.

CIRCULAR

The attention of Post Commanders and others concerned is called to the fact that article VIII of the contract made on the 14th of March, 1874, between Colonel *D. H. Rucker*, Assistant Quartermaster General U. S. A., and *S. B. Coulson*, for the transportation of military supplies on the Missouri river, requires that in all cases when supplies &c have been transported by said *Coulson*, Boards of Survey shall be called on the arrival of the stores at their point of destination or delivery, to examine the quantity and condition of the property transported.

Post Commanders will see that such Boards are promptly appointed, upon the application of the contractor or his agent, and that their proceedings conform to the requirements of the aforesaid contract.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 2d Infantry, A. D. C.

(No 7.)

HEADQUARTERS DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 10, 1874.

CIRCULAR

For the information and guidance of officers of this command, whose duties require them to advertise on public service, it is announced that the "*Bismarck Tribune*," a newspaper published at Bismarck, Dakota Territory, has been placed on the advertising list of the War Department.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

(No. 8.)

HEADQUARTERS DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 12, 1874.

CIRCULAR:

It being contemplated that the Chief Commissary of Subsistence at these headquarters shall pay all accounts for subsistence supplies, furnished at the various posts and stations in this Department, which may remain unpaid at the close of the present fiscal year, the Commanding Officers of such posts and stations will cause their respective Acting Commissaries of Subsistence to carry out the following instructions, viz:

To pay before the close of business June 30th, 1874, all accounts pertaining to the current fiscal year, for commutation of rations, company savings, services and hospital supplies, for the payment of which he may have on hand sufficient funds

To transfer to the Chief Commissary of Subsistence at these headquarters, all subsistence funds for which the Acting Commissary of Subsistence may be responsible at the close of the present fiscal year.

To prepare and forward to these headquarters on or before July 10, 1874, a list of all debts on account of army subsistence, outstanding and and unpaid at the close of the current fiscal year, such lists to be approved by the Post Commander.

To forward, for payment, to these headquarters as soon as practicable after June 30, 1874, accounts in duplicate, duly certified by the proper officer and approved by the Post Commander, for such debts on account of army subsistence as may remain unpaid at the close of the fiscal year.

Attention is called to the fact that officers having in their possession after June 30, 1874, subsisting funds pertaining to the fiscal year ending on that date, should make up separate accounts current for such funds.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General

OFFICIAL:

Captain 3d Infantry, A. D. C.

(No 9.)

HEADQUARTERS DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 22, 1874

CIRCULAR:

Officers of the Quartermaster's Department serving in this command, will immediately after the end of the present fiscal year, transfer to the Chief Quartermaster of the Department, the public funds of this year pertaining to the appropriation for the Quartermaster's Department for which they are accountable, excepting so much as may be required to discharge the indebtedness of the department, properly incurred and payable at their respective stations.

At posts where the amount of funds on hand is not sufficient to discharge said indebtedness, the Quartermaster will report the additional amount actually required for such purpose. The report will set forth the amount required under each of the several heads of the appropriation

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General

OFFICIAL:

Captain 3d Infantry, A. D. C.

(No 10.)

HEADQUARTERS DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 27, 1874

CIRCULAR:

The attention of officers of this command, charged with the issue of clothing, is called to the fact that the Act of Congress of June 16th, 1874, making appropriations for the support of the army, and for other purposes, provides for the issue of the following articles of old pattern clothing, viz: uniform hats, forage caps, uniform coats, uniform jackets and flannel sack coats, lined and unlined. Therefore, at all stations where the above-named articles are on hand they will be held for issue, and not sold or otherwise disposed of.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

(No. 11.)

HEADQUARTERS DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 10, 1874.

CIRCULAR:

The following decision is published for the information of this command:

(*Telegram.*)

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

July 30*th*, 1874.

Major General J. M. Schofield, Commanding Military Division of the Pacific, San Francisco, California.

In the matter of forfeitures, men discharged under provisions of circular of June 23, 1874, are the same as if discharged by expiration of term of service. Such men are discharged because of the necessity for the reduction of the enlisted force of the army.

(Signed,) THOMAS M. VINCENT,

Assistant Adjutant General.

BY COMMAND OF BRIGADIER GENERAL TERRY,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

(No. 12.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 29th, 1874.

CIRCULAR:

In view of the reduced appropriation for regular supplies of the Quartermaster's Department, for the current fiscal year, and the limited amount allotted to this Military Department, Post Commanders and others concerned will see that no greater quantity of fuel, forage, and straw is called for or received from contractors, under existing contracts, for their respective posts, or by purchase under existing authority, than is necessary for the wants of their commands for this fiscal year.

Post Commanders will report at once, to these headquarters, the total quantity of each of the above named articles that will be required for the balance of the year and also the quantity already received.

BY COMMAND OF BRIGADIER GENERAL TERRY.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Captain 3d Infantry, A. D. C.

(No. 13.)

HEADQUARTERS DEPARTMENT OF DAKOTA,
Saint Paul, Minn., November 14, 1874.

CIRCULAR:

The following circular letter of instructions from the Commissioner of Indian affairs to Indian Agents, is published for the information of this command.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., October 29, 1874.

SIR:

In order to enforce such discipline among the Indians belonging to your agency as will best prevent depredations among the settlements, and to enable the military with more ease and certainty to restrain and punish lawless Indians, you are hereby instructed to co-operate heartily with the officers commanding any military detachment which may come there for purposes of correction or punishment of Indians; and if any Indians have fled upon the reserve who are known to have committed depredations, you will require the well-disposed Indians to procure the immediate surrender of the guilty parties together with such plunder as they have taken.

If they are unable or refuse to do so, you will request of the military a sufficient force to make the arrest and will subject the Indians to such punishment as will tend to prevent future depredations.

If the Indians have been guilty of murder or any serious crime you will request the military to hold them in close confinement until their case can be reported to this office.

Very Respectfully,
Your Obedient Servant,
(Signed) EDW'D P. SMITH,
Commissioner.

JOHN M. SHAW, ESQ.
U. S. INDIAN AGENT.
Ojo, Caliente, N. M

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, November 4, 1874.

Official copy respectfully referred to the General of the Army, for the information of the proper Division and Department Commanders. The papers within referred to were forwarded from Army Headquarters, September 16th, 1874.

BY ORDER OF THE SECRETARY OF WAR,
(Signed) E. D. TOWNSEND,
Adjutant General.

HEADQUARTERS OF THE ARMY,
St. Louis, Nov. 7, 1874.

Respectfully forwarded to the Lieutenant General, Commanding Military Division of the Missouri.

BY COMMAND OF GENERAL SHERMAN,
(Signed) WM. D. WHIPPLE,
Assistant Adjutant General.

Official copy respectfully furnished the Commanding General Department of Dakota, for his information.

BY COMMAND OF LIEUTENANT GENERAL SHERIDAN,
(Signed) R. C. DRUM,
Assistant Adjutant General.

HDQRS M. D. M
Nov. 10, 1874.

BY COMMAND OF BRIGADIER GENERAL TERRY,

E. W. SMITH,
Captain 18th Infantry
Acting Assistant Adjutant General.

OFFICIAL.

1st Lieutenant 6th Infantry, A. D. C.

AMERICAN ORNITHOLOGY